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The Guardian's Office of Scientology: A Test of James Coleman's Theory of Elite Deviance

by

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Abstract

This MA thesis examines the applicability of James William Coleman's theory of elite deviance to Scientology's Guardian's Office during the 1970s. By outlining the policies and actions of the Guardian's Office and providing case study analyses of two of its operations, this study identifies areas in Scientology's elite deviance actions that Coleman's theory does not address. My findings suggest that the omissions in Coleman's theory are the result of his failure to look at the psychobiographical contributors to leaders' deviant actions. Similarly, specific legal theories about corporate deviance also fill gaps in Coleman's work as it might apply to the Guardian's Office. Nevertheless, insights from Coleman's theory concerning governmental deviance have direct applicability to Scientology's corporate behaviors during the decade that the Guardian's Office thrived.

Table of Contents

Chapter 1 1

1.1 Introduction 1

1.2 Literature Review 3

1.3 Coleman's Theory 15

1.4 Research Method 21

1.5 Research Goals 24

1.6 Organization of the Thesis 24

Chapter 2 26

2.1 The Dianetics Movement 26

2.2 Hubbard Establishes the Church of Scientology 29

2.3 The 'Sea Org' 34

2.4 The 'Sea Org' Arrives In the United States 39

2.5 The Restructuring of Scientology 42

2.6 Scientology After Hubbard 46

Chapter 3 50

3.1 Scientology's Critics 50

3.2 The Creation of the Office of the Guardian 51

3.3 The Structure of the Office of the Guardian 54

3.4 Internal Intelligence 57

3.5 External Intelligence 60

3.6 Identifying Critics 62

3.7 Actions Against 'Suppressive Persons' 65

Chapter 4 71

4.1 Guardian's Office Operations Against Enemies 71

4.2 Early Conflicts With Paulette Cooper 72

4.3 The Escalated Attacks on Paulette Cooper 75

4.4 Operation 'PC [Paulette Cooper] Freakout' 80

4.5 The Mclean Family Renounces Scientology 81

4.6 Scientology Applies 'Fair Game' Policy to the Mcleans 83

4.7 The Mcleans's Legal Battles with Scientology 89

4.8 Coleman's Theory of Elite Deviance and Organized Campaigns Against Enemies 90

Chapter 5 92

5.1 Coleman's Theory of Elite Deviance and Scientology 92

5.2 Corporate Leadership 92

5.3 Corporate Intelligence Systems 99

5.4 Corporate Abuse of the Legal System 105

5.5 Coleman's Theory of Elite Deviance and Scientology's Guardian's Office 110

Bibliography 111

Chapter 1

1.1 Introduction

When organizations are attacked or threatened, they often take action to silence or discredit their critics and perceived enemies. Since corporations[1] are organized and often have considerable resources to fund their conflicts, they are able to act swiftly and effectively. Although legal action may transpire if the critics' actions are criminal, corporations have no legitimate recourse when their critics are acting within their rights. Consequently, when critics are speaking out lawfully against an organization, it may resort to illegal or deviant actions, thereby subverting the civil liberties of its enemies.

The corporate violation of civil liberties is an emerging area of corporate crime and elite deviance – deviance that includes both illegal and unethical behavior. Scholarship in this area distinguishes among questionable behaviors by denoting that criminal activities are expressly prohibited by law, whereas merely deviant behaviors are not criminalized yet receive widespread social disapproval. Although there is an extensive literature focusing on corporate crime and elite deviance, existing theories

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[1] McInnes, Kerr, VanDuzer, and Carmody define the corporation (or organization) as an entity that has a "separate legal existence. The corporation itself carries on business, owns property, possesses rights, and incurs liabilities (including liability for crimes and torts)" (2003: 418).

never have been applied to ideological corporations, wherein the operating goals include not only increased profit, but also the promotion of a belief system.

Like many other organizations, the Church of Scientology undertakes illegal and unethical activities in order to attain its goals. As an ideological organization, however, the Church of Scientology is able to motivate its members to partake in these behaviors through its intense doctrinal claims. Furthermore, because Scientology presents itself as a religion, it must justify and reconcile its activities and its belief system to both members and outsiders when its criminal and unethical behaviors contradict the expectations that most people have about the practices of a religious institution.

To determine the applicability of theories of corporate crime and elite deviance to ideological organizations, I reviewed scholarship in criminology, deviance, and the sociology of religion in order to define terms and outline basic themes.[1] I then focused on the theories that addressed the violation of

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1 After determining that I wanted to study corporate reaction to critics and perceived enemies, I decided to begin my search for a theory that could outline deviant and criminal behavior in this area. First, I performed a search on the University of Alberta's library system's Infogate. My search terms included corporate, corporation, organization, business, elite, deviance, abuse, manipulation, ethics, legal system, criminal justice system, law, crime, lawsuit, surveillance, intelligence, and private investigator. After perusing the summaries available on the Infogate, I narrowed my search to the books containing specific references to corporate behavior. Next, I used the same terms and performed searches on the Criminal Justice Abstracts, Sociofile,

civil liberties that occur within Scientology. Finally, I selected and provided an overview of James William Coleman's theory of corporate crime in order to test its validity when applied to ideological organizations.

1.2 Literature Review

Although the scholarship on corporate crime includes many of the topics pertaining to the corporate abuse of civil liberties, its ambiguous and narrow definition fails to provide an absolute framework for studying these issues. According to John E. Conklin, corporate crime includes illegal acts punishable within criminal law, and "includes behavior which violates a criminal law but which is not dealt with in a criminal law" (1977: 13). Marshall B. Clinard's definition embodies that of Conklin, but incorporates punishment by administrative or civil law (1983: 10). Conklin refers to this interpretation of corporate crime as "business crime" (1977: 13).

While these definitions outline the parameters of criminal acts by corporations, they fail to examine the variation of laws pertaining to organizations or their differential enforcement. Since laws differ by place and over time, corporate crime phenomena may not receive public notice if they occur in a location or at a time when they are not criminalized. Consequently, while some theorists believe that the simplest way to study crime is to focus on "those acts that are codified in criminal statutes" (Simon and Eitzen, 1986:

Current Contents, Foreign Legal Periodicals, Index to Canadian Legal

25), the failure to address the behaviors of organizations that do not adhere to this definition results in an incomplete investigation of corporate crime.

Since the study of corporate crime is limited to the exploration of criminalized activities, theorists focus on violations related to profit-making, due to the fact that most laws pertaining to organizations are centered in this area. The prevalent topics refer to the breaking of laws or regulations as a way of doing business, when obeying the laws would be more expensive. Consequently, theories of corporate crime address the organizational victimization of government agencies,[1] employees,[2] consumers,[3] competitors,[4] the natural environment[5] and owners and creditors[6] in order to directly or indirectly maximize financial returns.

Literature, and Trial Citation Index databases.

[1] For examples, see Friedrichs, 1996: 84-86; Mokhiber, 1988: 213-220; Punch, 1996: 77-78; and Snider, 1993: 75-76.

[2] For examples, see Clinard, 1990: 91-100; Friedrichs, 1996: 88-90; Mokhiber, 1988: 97-117, 238-247; and Snider, 1993: 76, 182-185.

[3] For examples, see Clinard, 1990: 100-111, Friedrichs, 1996: 86-88; Mokhiber, 1988: 130-138, 341-350, 373-382; Punch, 1996: 23-24; and Snider, 1993: 76, 81-83.

[4] For examples, see Greene, 1996: 42-44; Comer, 1977: 135-139; Friedrichs, 1996: 90-91; Mokhiber, 1988: 221-228; Punch, 1996: 29-31; and Snider, 1993: 75, 186-190.

[5] For examples, see Clinard, 1990: 111-119; Mokhiber, 1988: 75-96, 267-276, 363-372; Punch, 1996: 22-23, 24-26; and Yeager, 1995: 271-274.

[6] For examples, see Elias, 1978: 186-195; Friedrichs, 1996: 92-93; and Punch, 1996: 65.

Because the literature on corporate crime is concentrated on areas related to financial gain, it fails to acknowledge activities undertaken for the purposes of increasing *power* and *control* rather than *profit*. Furthermore, corporate crime theory does not include the analysis of unethical behavior, but instead appreciates unethical actions only if they also are criminalized. As a result, theories of corporate crime are not successful in addressing the actions of Scientology, wherein many questionable, yet legal, activities occur for purposes other than profit maximization.

Theories of elite deviance encompass those of corporate crime, in that they include illegal actions while also exploring unethical behaviors. According to David O. Friedrichs, "the principal rationale for favoring *deviance* over *crime* is that the former term emphasizes that governmental and corporate elites in particular undertake a great deal of harmful activity that is not specifically classified as criminal" (1996: 6). Furthermore, scholars often use the term "elite" interchangeably with "organization" or "corporation." This convention reflects the assumption that organizations often wield considerable power and resources. David R. Simon and D. Stanley Eitzen acknowledge this practice by distinguishing elites as having the greatest amount of authority and/or material gain (1986: 10)--advantages that elites often acquire through corporate activities.

As well as addressing criminalized activities, theories of elite deviance also apply to non-criminal transgressions. These breaches encompass

"violations against external and internal rules and regulations" (Punch, 1996: 57). Sectors of corporations, therefore, may partake in activities that not only outsiders, but also other areas of the same corporation deem inappropriate. Because large corporations, including Scientology, contain a hierarchy of specialized groups often focusing on different goals, "organizations vary in the ways in which their social structures systematically and continuously generate unlawful organizational behavior" (Clinard, 1983: 14).

Another digression from corporate crime included in theories of elite deviance is the recognition of actions not committed for the purpose of attaining maximum profits. Because of the inclusion of activities motivated by the desire for increased power, this area includes analyses of the unethical actions of governmental agencies (Simon and Eitzen, 1986: 26). Since government organizations are unlike corporations in that their ultimate goal is not necessarily the maximization of profits, the theory in this area recognizes the perpetuation of illegal and unethical activities including civil rights violations for purposes other than financial gain.

Because theories of elite deviance include the study of governmental activities, they address systematic violations of civil liberties undertaken by governmental agencies in order to manage real or perceived threats to national security.[1] According to Simon and Eitzen, "related to offenses

[1] For examples, see Friedrichs, 1996: 137 and Simon and Eitzen, 1986: 203-204.

against those viewed as threats to national security are violations of individual civil rights, including illegal surveillance by law enforcement agencies, infiltration of law-abiding political groups by government agents, and denials of due process of law" (Simon and Eitzen, 1986: 27). Although theories of elite deviance sufficiently address governmental abuses of civil liberties, they fail to acknowledge that corporations may perform similar transgressions.

In attending to the corporate violation of civil liberties, theories of elite deviance also fail to appraise the extent to which organizations go to obstruct the actions of their enemies. While these theories acknowledge the systematic abuses performed by government agencies, they do not demonstrate that corporations also may contain permanent structures that exist for the sole purpose of managing critics.

A sub-category of elite deviance theory entitled "dirty tricks" explores temporary and situational campaigns by corporations against perceived enemies. According to Maurice Punch, when organizations undertake "dirty tricks" offensives, managers must "accept an even deeper level of deviousness and duplicity than in more standard and accepted covert practices" (1996: 237). When corporations launch campaigns, they select employees to participate in attacks and socialize these workers to temporarily perform duties that deviate from their usual assignments. Furthermore, he claims that when an offensive ends, those involved return to their regular roles within the organization (Punch 1996: 237).

While Punch addresses the temporary 'dirty tricks' campaigns managed within corporations, he fails to account for the establishment of departments that undertake these attacks on a permanent, ongoing basis. Instead, he claims that long-term or permanent actions are "conveniently outsourced to an external agency which can more easily be blamed for any excesses without implicating too many people within one's own company" (Punch, 1996: 237). Although he recognizes that organizations directly and indirectly participate in 'dirty tricks' initiatives, he does not address the creation of internal departments that perpetually serve to attack enemies.

By not acknowledging that organizations may have permanent programs in place to thwart critics, Punch also fails to illustrate that these actions may become embedded in corporate culture. When he claims "that organizational elites indirectly initiate deviant actions by pressuring middle management to achieve results (and by establishing covert but understood norms for rewards and punishments); and that both the top boss and the elite can be shielded from direct knowledge of deviancy and from the consequences of its exposure" (1996: 233), Punch does not recognize that 'dirty tricks' campaigns may be sanctioned by those in power and carried out as a regular part of the corporation's business practices.

Although theories of elite deviance address "dirty tricks" campaigns, they do not explore the formation of permanent structures within corporations to attack enemies. Furthermore, the theory fails to acknowledge that deviant

actions may occur openly as a part of ordinary business activities. Because Scientology has policies and procedures in place to straightforwardly and systematically silence its critics, its actions are not adequately summarized by theories of elite deviance and 'dirty tricks.'

Another emerging area of corporate crime theory addresses issues related to corporate violations of privacy. In "Asymmetries of Control: Surveillance, Intrusion, and Corporate Theft of Privacy," Werner J. Einstadter espouses that advancements in technology provide organizations with the means to amass an unprecedented amount of information (1992: 286). While Einstadter focuses on the gathering of information on those outside the corporation (1992: 286), Friedrichs includes insiders as potential victims of this practice (1996: 90).

Under the guise of increasing efficiency and precision, corporations are able to use technology as an extension of the corporate actor. The compilation of personal information enables corporations to "control, intrude on, and dominate" (Einstadter, 1992: 289) interactions. Appreciating the value of information about its members and outsiders, Scientology routinely compiles personal data using both legal and illegal methods.

While people often supply personal information without considering the consequences, in many situations they are not aware that material is being gathered. According to Einstadter, "corporations, through their use of surveillance technologies and other technologies of intrusion, in effect

appropriate portions of individuals' privacy without consent and thus are 'stealing' what is not rightfully theirs" (1992: 294). Because corporations are wealthy, organized, and capable of exerting considerable influence over the law (Einstadter, 1992: 294), they continue to deliberately disregard personal privacy without being held accountable.

Although corporations may use surveillance and information gathering for legitimate purposes, they make no assurances that once obtained, the data will be used for justifiable and intended purposes. According to Friedrichs, "the harms and injustices of such surveillance may exceed any legitimate purpose" (1996: 90). Moreover, the violation of privacy may occur prior to any misuse of the amassed information, at the time when an individual loses control of how the corporation uses it (Einstadter, 1992: 292).

When corporations compile personal information, they may use it for unjustifiable and unintended purposes. Furthermore, when the materials are organized into files, the violation of privacy is increased because of the greater potential for misuse. "In private hands these dossiers give extraordinary power to corporate agents" (Einstadter, 1992: 290). By amassing and systematizing personal information, corporations are able to illicitly increase their internal and external control.

In addition to collecting and arranging personal information, corporations also may organize to exploit privacy in order to further their own interests. Subsequently, organizations may institute divisions that

systematically and deliberately acquire information. According to Einstadter, "private bureaucracies have arisen, whose sole reason for existence is to control and manipulate a subject for corporate purposes" (1992: 289).

When corporations have a systematic way of collecting and organizing personal information, they may utilize the materials to identify individuals who pose a threat (Einstadter, 1992: 289-290). Once they detect these people, the organizations may proceed to neutralize the potential danger by increasing surveillance on the questionable individuals or groups, or by making changes to attend to the situations causing the dissention.

Throughout its history, Scientology has systematically gathered information about its members and outsiders. Members are particularly vulnerable to invasions of privacy, due to the collection of personal data as part of its ideological practice. Scientology also uses technology to obtain information about outsiders who its leaders perceive as dangerous to the wellbeing of the organization. Furthermore, the Guardian's Office served to collect and organize information and strategize to eliminate threats to the Church. By acquiring personal information and using it to menace members and critics, Scientology routinely undertakes violations of privacy in order to further its goals.

The study of corporate justice systems is another emerging area of corporate crime theory. Like theory concerned with corporate violations of privacy, the scholarship in this area also addresses the legitimate and

illegitimate uses of technology for surveillance and information-gathering purposes (Stenning and Shearing, 1984: 83). It subsequently includes, however, the formation of internal organizational divisions wherein the sole purpose of operation is to act as a private criminal justice system.

In "Corporate Justice: Some Preliminary Thoughts" (1984), Philip C. Stenning and Clifford D. Shearing compare corporate and criminal justice systems. In order to be effective in the corporate environment, corporate justice systems function differently than criminal justice systems. "Corporations are particularly well placed to take a proactive, preventative approach to problems, in contrast to the largely reactive, *ex post facto*, approach taken by the criminal justice system" (Stenning and Shearing, 1984: 82). Moreover, because corporate justice systems influence standard business practices, they are highly integrated into the organization (Stenning and Shearing, 1984: 83).

In the administration of corporate justice, the actual or potential victimization of the organization is the focus. In corporate justice systems:

> rules are established and enforced, prevention and detection strategies are adopted, dispute resolution structures and processes are employed, and sanctions are imposed, not as a moral exercise to uphold abstract principles of justice and right, but because they will be instrumental in furthering the particular interests of the corporation (Stenning and Shearing, 1984: 81).

Although corporate justice systems theoretically administer justice, they address offenses committed against, not by, the organization.

Because corporate justice systems operate under the assumption that the organization is the victim, they serve to promote only the corporate goals. Consequently, because corporations that are able to fund and institute justice systems usually are wealthy, their primary focus is often on preserving and increasing their prosperity (Stenning and Shearing, 1984: 81). As a result, "corporate justice is most commonly justice for profit" (Stenning and Shearing, 1984: 81).

Although corporate justice systems overtly manage wrongs committed against the organization, they also may address the transgressions of the corporation. Stenning and Shearing posit that, in addition to their sanctioned functions, corporate justice systems "may also be employed to cover up or prevent the redress of wrongs committed by the corporation" (1984: 81). While they recognize that corporate justice systems may act in ways that jeopardize the civil liberties of individuals (Stenning and Shearing, 1984: 79), they do not develop their theory in this area beyond mentioning the possibility of organizational abuses.

Scientology, like other organizations, channels considerable resources into the operation of a private justice system known as committees of evidence. When allocating justice through these committee hearings, Scientology steadfastly views itself as a victim of enemies attempting to

discredit or destroy the Church. At times it violates civil liberties to ensure that both members and outsiders comply with corporate interests. Because Scientology is an ideological organization, however, the goals of its justice system include the promotion of its belief system in addition to increasing profits.

Corporations containing internal justice systems may employ private police forces to realize organizational policies. Private police forces, however, also may serve to perform unethical duties. According to Friedrichs, they may be "used more often as an instrument whereby corporations committed crimes (e.g., against employees) than as a means of ferreting out and pursuing white collar crime cases, especially at the higher executive levels" (1996: 292). Although the theory in this area does not recognize that private police forces may also attack outsiders, it acknowledges that internal justice systems have the means to coerce organizational members to comply with corporate policy.

Friedrichs's theory also appreciates the complicity of high-level corporate officers in the illegal activities of internal police forces. He posits that while internal security departments scrutinize the activities of lower-level employees, they disregard the illegal acts of executives by failing to report criminal behavior to outside authorities (Friedrichs, 1996: 293). By suggesting that private police forces act in the interests of corporate leadership, Friedrichs acknowledges that internal security departments are

more dedicated to the pursuit of corporate goals than in the promotion of ethical business practices.

In addition to using private police forces, corporations also may include legal council as part of their internal justice systems. As corporate employees, however, lawyers' organizational loyalty often supercedes their professional allegiances. Friedrichs suggests that due to their intimate association with high-level corporate officers, lawyers "confront unique opportunities and pressures to break laws" (1996: 105). Therefore, even though they are officers of the court, they may feel pressured to ignore their professional covenants and undertake criminal activities in order to comply with corporate goals (Friedrichs, 1996: 107).

Scientology operates a private police force as well as legal council as part of its justice system. As agents of the Church's internal justice system, they routinely perform unethical duties in order to conform to organizational policies. Moreover, Scientology security officers and attorneys, acting on behalf of high-level executives, at times reject social and professional regulations in order to assist in the achievement of corporate goals.

1.3 Coleman's Theory

Although many theories of corporate crime and elite deviance partially address the corporate violation of civil liberties, few theorists provide a comprehensive explanation of the phenomenon. One criminologist who does,

however, is James William Coleman. In *The Criminal Elite: Understanding White-Collar Crime* (1998), Coleman outlines how organizations are able to control the behavior of their employees and therefore are equipped to perpetuate illegal and deviant acts. He then demonstrates how corporations abuse their power by violating the privacy and civil liberties of critics.

In his explanation of deviant organizational behavior, Coleman proposes that corporate leadership plays a profound role in influencing organizational activities. Due to the nature of the modern corporate bureaucracy, executives are capable of directly and indirectly exerting a strong influence over the actions of employees. By defining modern organizations as "machines for controlling human behavior" (1998: 194), Coleman demonstrates that corporations are able to use existing mechanisms of the bureaucracy to encourage unlawful behavior and obstruct any problems that arise during this practice. He reasons that "the mechanisms for achieving conformity to organizational expectations are much the same whatever the legal standing of the organization's demands" (1998: 194).

In order to ensure conformity, corporations have many ways to compel behavior that they deem necessary to attain organizational goals. Since corporate leaders hold the power to reward and punish employees, they are able to outline behaviors that result in success and failure in the organization and then respond accordingly to employees' conduct. Furthermore, because

executives control the social world of the corporation, they are able to construct an atmosphere wherein dedication and conformity are desirable and necessary for success. Ultimately, the threat of dismissal is the most powerful method of coercion (Coleman, 1998: 194).

An important element in achieving compliance to objectives is the cultivation of a corporate subculture with a distinct morality or ethical system. According to Coleman:

> at the most fundamental level, the way an organizational subculture defines the work situation and the role of various employees creates the context for all organizational behavior. The ethos of a corporation also helps shape the moral sensibilities and perspectives of its employees—especially those in managerial positions. Certainly, any decision to engage in illegal activity is profoundly affected by the social world sheltered within the organization (1998: 195).

By illustrating the unique social world of the corporation, Coleman suggests that organizations have a powerful influence over their employees and are able to manipulate the workplace environment to compel deviant behavior.

In order to achieve the desired corporate social world, organizational leaders play a principal role. Coleman proposes that those in management positions are the product of a successful organizational socialization process and that they, conversely, then act to socialize others below them (1998: 196). Moreover, he asserts that it is necessary to internalize the corporate

morality in order to be promoted to the management level.

Coleman further contends that, in addition to integrating the corporate ethical system, employees at every level must adjust their personal sense of morality when it is not consistent with the corporate subculture. This adaptation is necessary to achieve not only individual (1998: 196), but also organizational success. Likewise, he maintains that "the existence of widely divergent ethical standards and attitudes among members of the workforce might interfere with the smooth operation of the organization" (1998: 196-197). By emphasizing the disruptive influence of conflicting belief systems on individual and corporate achievement, Coleman demonstrates the importance of cultivating an atmosphere wherein corporations define expectations and value conformity.

An important element in maintaining organizational conformity is the cultivation of a bureaucracy. When corporations formalize policies and procedures, they provide employees with a framework to guide their behavior (Coleman, 1998: 198). The bureaucracy provides a setting wherein "unethical or illegal activities appear to be a normal part of the daily routine" (Coleman, 1998: 198). Furthermore, the sanctioned guidelines protect corporate executives from taking responsibility for the results of any illegal or unethical activities they oversee. Because the organization, rather than individuals in leadership positions, is accountable for deviant behavior within the corporation, employees normalize and accept pernicious business

practices (Coleman, 1998: 198).

Another significant factor in compelling unethical corporate behavior is organizational loyalty. Coleman posits that it is necessary to cultivate employee loyalty in order to eliminate competing outside interests (1998: 199). Moreover, he claims that when corporations remove allegiances to external sources, "normal skepticism about attitudes and goals . . . learn[ed] on the job" (1998: 199) is replaced by an acceptance of corporate customs. For an organization to be successful at using illegal or unethical methods, employee loyalty is imperative.

Scientology successfully cultivates a corporate environment that normalizes unethical behavior. Because Scientology requires that members of its managerial body called the Sea Organization (or Sea Org) extricate themselves from outside allegiances, it is able to cultivate intense corporate loyalty. When the organization socializes members effectively within the organization, Scientology is able to normalize deviant behavior more easily. Also, through its extensive catalogue of policies, the church is able to further manipulate members' behavior and demand conformity.

When corporations create environments wherein deviant behavior is acceptable, it is more likely that they will infringe upon individual rights as a part of everyday business practices. Coleman posits that as today's corporations grow increasingly larger and more powerful, there is a greater concern about how they gather information about individuals (1998: 57).

Although organizations have collected information about employees and outsiders in the past, he claims that the concentration of economic power has transformed this practice into a violation of civil liberties (1998: 57). He suggests that contemporary corporations amass and utilize information in order to engender conformity and assert their power over the lives of individuals.

Another issue that Coleman addresses in his theory is violations of privacy by corporations. He reasons that technological advances have enabled corporations to more easily gather, store, and retrieve information on individuals (1998: 58). Although corporations commonly use personal information for legitimate purposes, its increased availability and abundance extends the likelihood that they may also use it for unintended and illegal purposes as well. Furthermore, Coleman posits that corporations have "been caught using private investigators and even funding full-time information-gathering networks" (1998: 58) to cultivate and manage the accumulation of information.

Coleman extends his theory on corporate violations of privacy by introducing corporate abuses of civil liberties. He contends that organizations may engage in unethical and criminal behavior in order to compile personal information on critics and perceived enemies (1998: 58). He cites examples of wiretapping, break-ins, document theft, surveillance programs and

infiltration as intelligence methods used to assemble dossiers.[1] Coleman also states that corporations go beyond privacy violations by using collected information to conduct smear campaigns and direct personal assaults on critics.[2] By demonstrating how corporations unethically attain information and use it to silence enemies, Coleman argues that civil rights violations are an actuality in the corporate world.

Using both legal and illegal methods, Scientology habitually gathers information on its enemies. Through the Guardian's Office, the organization compiled dossiers and utilized its considerable power and resources to conduct campaigns to neutralize critics. Scientology's proscribed methods include many organizational activities that violate the civil liberties of Scientology detractors.

1.4 Research Method

The illustrative method of data analysis provides a framework to systematically test existing theory by using "empirical evidence to illustrate or anchor a theory" (Neuman, 1994: 412). Having summarized Coleman's theory, I will use this method to test the theoretical model and determine if it illuminates or clarifies a specific case (Neuman, 1994: 413). By organizing the data in order to demonstrate the validity of the concepts included in the

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[1] For examples of corporate and governmental intelligence operations, see Coleman, 1998: 60-61.

[2] For examples, see Coleman, 1998: 58-59.

theory (Neuman, 1994: 412) and reflecting on the theory throughout the presentation of the data, I will be able to represent the history of Scientology and interpret the applicability of the theory to this particular organization.

Since Coleman relies on case study research to substantiate his theoretical model and because other researchers customarily use this method in the study of corporate crime (Friedrichs, 1996: 41), I will follow his example in structuring my arguments and interpreting my data. Because Scientology is a complex organization with an ambiguous history, it is necessary to immerse oneself in the data in order to comprehend the intricacies of the group. Considering the extent of research an academic must undertake in order to achieve a comprehensive understanding of the organization, presenting my findings in the form of a case study will best demonstrate my findings and scrutinize Coleman's theory (Neuman, 1994: 321).

In addition to providing a forum that exhibits my knowledge of the data, the format of the case study best enables me to undertake an in-depth exploration of the group over time (Neuman, 1994: 27). Recognizing that the application of a theoretical model must be consistent through every stage of the group's development, the case study method permits me to test if the theory remains valid despite changes in the organization. Furthermore, the use of this method will allow me to maintain the same depth of immersion into the data for the duration of my study.

Although the illustrative method of case study analysis provides the

most suitable framework through which to evaluate Coleman's theory, it nevertheless is problematic. The researcher must account for the subjectivity inherent in qualitative research in order to avoid bias. Since the researcher cannot claim to be objective, it is important to show how she gathered and understood the evidence (Neuman, 1994: 322). Furthermore, as a qualitative researcher, it is important to make my values explicit in order to contextualize my interpretation (Maxwell, 1996: 91).

Another troublesome aspect that the researcher must address in qualitative research is internal validity. According to Neuman, a researcher must institute 'checks' to ensure that the information presented accurately reflects the evidence (1994: 321). Through triangulation, a method of using 'checks' in qualitative data, it is possible to employ multiple indicators to ensure that the evidence is complete and contains all possible perspectives. In order to reduce the possibility of error and ensure internal validity, a researcher must include every available rendition of the data.

Since there are often contradictions between Scientology's and its enemies' depictions of reality, as well as discrepancies within Scientology sources, it is especially important to employ triangulation when approaching this area of scholarship. In order to present all angles of the issues encountered in my analysis, I will include sources from Scientology, its critics, and neutral agents. To complete my data, I will refer to primary organizational documents, media (newspaper, magazine, and television)

reports, secondary sources, academic articles, legal documents, websites, and governmental reports.

1.5 Research Goals

To guide my research, I developed two research propositions. First, I want to test Coleman's theory on corporate reaction to critics. Although Coleman is one of the few theorists of elite deviance and corporate crime to address this issue, this area of his theory is only complete when complimented by theory on corporate justice systems.

Second, I want to contribute to the body of scholarship on Scientology. To date, there has not been a comprehensive academic investigation of its Guardian's Office. I intend to outline the history and organization the Scientology division and demonstrate the perpetuation of its policies in its activities.

1.6 Organization of the Thesis

Chapter Two recounts the history of the Church of Scientology, specifically elucidating how its corporate climate of deviance emerged and evolved. It includes a summary of the evolution of Scientology beliefs and an organizational history.

Chapter Three examines the history of the Guardian's Office. It identifies the office's divisional structure and policies and reflects on the applicability of corporate crime theory to its organization.

Chapter Four illustrates the operations of the Guardian's Office. It relates the 'dirty tricks' operations against critics while testing the viability of corporate crime theory.

Chapter Five examines the proficiency of Coleman's theory and provides supplementary theory regarding issues that Coleman fails to address.

Chapter 2

2.1 The Dianetics Movement

Scientology evolved from Dianetics, which is a mental health and physical healing ideology proposed in the mid-twentieth century by L. Ron Hubbard. A pulp science fiction writer, Hubbard published his ideas in May 1950 in *Astounding Science Fiction* and released *Dianetics: The Modern Science of Mental Health* (1950) soon after. Hubbard spent the year prior to publication (see Miller, 1987: 147-150, and Atack, 1990: 106) developing and researching his theory, although he "never produced copies of any research protocol" (Kent, 1999: 99).

Extrapolating Freudian theory, Hubbard developed a framework for explaining human behavior. He proposed that the human psyche consists of two parts: the 'reactive' (unconscious) and 'analytical' (conscious) minds. "The 'Reactive Mind' is composed of recordings of incidents of physical pain or unconsciousness called 'engrams'" (Atack, 1990: 109). When 'engrams' are embedded in the 'reactive mind,' they, unbeknownst to the individual, cause physical and emotional problems (Miller, 1987: 154).

Hubbard suggested that by identifying and re-experiencing engrams through a process he called "auditing," they would move from the reactive mind to the analytical mind, where they would be eradicated (Atack, 1990: 109). "Having cleared the reactive mind, the analytical mind would then

function, like the optimum computer, at full efficiency--the individual's IQ would rise dramatically, he would be freed of all psychological and psychosomatic illnesses and his memory would improve to the point of total recall" (Miller, 1987: 154). Hubbard's theory claimed to provide a process that allowed individuals to achieve the state of 'clear' and function at an exceptional level without the interference of engrams.

Although *Dianetics* was popular with the public,[1] it received a considerable amount of criticism. Not only did the media and psychiatric profession denounce *Dianetics* as ineffectual, they also considered it to be a dangerous substitution for legitimate psychiatric treatment (see Atack, 1990: 160-161). Rather than deterring further sales of *Dianetics*, the public debates about its merits only served to increase its circulation.

Within half-a-year of the publication of *Dianetics*, six Hubbard Dianetic Research Foundations were incorporated in the United States (Atack, 1990: 114). Although there was remarkable initial public interest in the philosophy, the fascination with Hubbard's theory declined quickly. "By the end of 1950, Hubbard's world was collapsing, income had dropped dramatically and the Foundations were unable to meet their payrolls or their promotional expenditures" (Atack, 1990: 118).

As the Dianetics Foundations neared bankruptcy, millionaire follower

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[1] Within a year of publication, 150,000 copies were sold (see Atack, 1990: 113).

Don Purcell assisted Hubbard in maintaining the movement. Purcell paid the Foundations' debts, moved the headquarters to Wichita, Kansas and assumed a leadership role within the organization (Atack, 1990: 121). With his Foundation once again in order, Hubbard published his second book, *Science of Survival* (1951), which was an expansion of the ideas set forth in *Dianetics*.

The temporary order within the *Dianetics* movement did not last very long. Hubbard's second book failed to reach the bestseller status of *Dianetics*, and disagreement between Hubbard and Purcell about the management of the Foundation increased. As debts mounted and income decreased, Purcell, against Hubbard's wishes, convinced the board of directors that bankruptcy was the only way to salvage the Foundation. Enraged by the perceived betrayal by Purcell, Hubbard abandoned the Foundation (Miller, 1987: 199-200). Since the Foundation held the proprietary rights to *Dianetics*, legal disputes over assets and copyrights followed Hubbard's desertion. Hubbard eventually regained the proprietary rights to the ideas and processes he espoused in *Dianetics*.

After leaving the Dianetics Foundation, Hubbard spent six seeks in Wichita, trying to establish the Hubbard College. Throughout this time, he lectured on new dimensions of *Dianetics* theory and tried to raise sufficient funds to maintain the new institution. Although the Hubbard College failed, during this transition Hubbard introduced the electro-psychometer (or e-

meter), a crude lie detector for 'counselors' (or auditors" were to use during auditing, and began speaking about the "Operating Thetan" (or OT) levels which would later become significant in Scientology (Atack, 1990: 127).

2.2 Hubbard Establishes the Church of Scientology

In April 1952, Hubbard left Wichita and traveled to Phoenix, Arizona, where he established the Hubbard Association of Scientologists. Building on Dyanetics theory, he created a cosmology wherein the 'thetan' represented the human spirit and an 'operating thetan' was an exalted being operating on a level yet to be seen on earth (see Atack, 1990: 129; Miller, 1987: 203). Hubbard suggested that through the use of the e-meter, individuals (or thetans) could explore past lives and travels through the universe while attaining 'operating thetan' (OT) status. Scientology theory espoused that followers enroll in Hubbard Association courses in order to ascend through the OT levels and achieve unworldly abilities.[1]

After establishing the Scientology ideology, Hubbard formed the Hubbard Association of Scientologists International (HASI) in 1952. Through this organization, Hubbard retained "complete control over his many Scientology and Dianetic corporations" (Atack, 1990: 139). By the end of the

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[1] According to Atack, OT abilities supposedly "include telekinesis, levitation, telepathy, recall of previous lives, 'exterior perception (or 'remote viewing'),' disembodied movement to any desired location, and the power to will events to occur: to transform, create or destroy Matter, Energy, Space and Time (or 'MEST')" (1990: 134).

decade, HASI absorbed or eliminated every independent group practicing Scientology or Dianetics, giving Hubbard absolute control over the ideology and finances of the franchises.

In December 1953, Hubbard incorporated the Church of Scientology in Camden, New Jersey as the 'mother church,' and other franchises were established immediately around the world. By claiming religious status, Scientology avoided many of the criticisms leveled at Dianetics by the medical profession and enjoyed the benefits shared by religious institutions (see Atack: 1990: 138). To legitimize the new status of his ideology, Hubbard asserted that "the difference between Dianetics and Scientology was that Dianetics addressed the body, whereas Scientology addressed the soul" (Miller, 1987: 203).

By 1955, the Church of Scientology assumed many of the accouterments of sanctioned religious institutions. In order to legitimize his ideology as a religion, Hubbard moved the HASI headquarters to Washington, D.C., "declaring his belief that the church's constitutional rights were safer under the jurisdiction of Federal, rather than State, courts" (Miller, 1987: 221). His efforts were rewarded the following year when the IRS granted Scientology tax-exempt status as a religion (Atack, 1990: 142).

Hubbard's success at establishing Scientology as a religion did not endure. In 1957, the CIA opened a file on Hubbard and the church in an attempt to decipher his "tangled corporate affairs" (Miller, 1987: 228). The

FBI maintained an additional file on Hubbard, featuring examples of his "exuberant irreverence to authority" (Miller 1987: 230). Within the next year, the Washington organization also lost its tax-exempt status when the Tax Court ruled that "Hubbard and his wife were benefiting financially from the Church of Scientology beyond reasonable remuneration" (Atack, 1990: 142). Scientology encountered further problems when the FDA seized a large quantity of "radiation sickness" tablets, citing the vitamins were incorrectly labeled (Atack, 1990: 142). By the end of the decade, the Church of Scientology faced ongoing challenges by several federal agencies regarding its practices.

In 1959, Hubbard relocated his family to East Grinstead, Sussex, in Great Britain after purchasing the Saint Hill Manor. Since Scientology was thriving internationally, Hubbard received considerable funds from the organization and continued his leadership role from abroad. In Britain, he spent his time dispatching a plethora of bulletins and policy letters (see Miller, 1987: 240-241). By 1960, Hubbard also converted part of his home to a school, and Scientologists arrived from around the world to take a program called the Saint Hill Special Briefing Course (Miller, 1987: 242, 244).

While Hubbard was managing Scientology from Great Britain, the organization continued to face challenges in the United States. In 1963, the FDA raided the Washington organization and seized a large quantity of e-meters, papers, and books, alleging that the group had mislabeled the e-

meters (Atack, 1990: 154). By law, the FDA needed only to purchase a single e-meter to prove its case, and therefore the raid appeared excessive and bolstered Scientology's claims of victimization (Miller, 1987: 247).

The Church of Scientology encountered more difficulties that year in Australia. After a Melbourne newspaper published a series of unfavorable articles about the organization in the Parliament of Victoria, Scientology faced "allegations of blackmail and extortion, and accusations that [it] was affecting the 'mental well-being' of undergraduates at Melbourne University" (Miller, 1987: 25). The Parliament appointed a Board of Inquiry to address the charges against Scientology.

When the Australian Board of Inquiry into Scientology published its report in 1965, it denounced the organization and its practices (see Miller, 1987: 252-253). Shortly thereafter, "the State of Victoria passed the Psychological Practices Act which effectively outlawed Scientology and empowered the Attorney General to seize and destroy all Scientology documents and recordings" (Miller, 1987: 254). The ban on Scientology in Australia generated worldwide media and governmental attention and prompted further investigation into the organization.

By the following year, incited by the ruling in Australia, Great Britain also began an inquiry into Scientology. To avoid further public scrutiny, Hubbard left Britain and traveled to Rhodesia. Although he was no longer in Britain, Hubbard, concerned about the attacks against the organization,

continued to react to the inquiry. He formed the 'Public Investigation Section,' to serve the purposes of gathering intelligence to further organizational goals and investigating those who disparaged Scientology (Atack, 1990: 160). Within a month, the Public Investigation Section was rechristened the Guardian's Office (GO)[1] (Atack, 1990: 161) and Hubbard appointed his wife, Mary Sue, to oversee the department.

Hubbard traveled to Rhodesia because he was looking for a country that he believed "would provide a 'safe environment' for Scientology" (Miller, 1987: 257). He tried to "ingratiate himself with the leading political figures in Rhodesia, but with little success" (Miller, 1987: 258). After a controversial speech, in which Hubbard appeared to be anti-Rhodesian, at the Rotary Club in Bulawayo in July 1966, the Rhodesian government did not renew his visa and forced him out of the country.

Upon returning to Britain, Hubbard could not ignore the mounting challenges to Scientology. In the United States, the IRS revoked the organization's tax-exempt status, citing Scientology's commercial practices, as well as Hubbard's personal financial involvement in the organization (Atack, 1990: 166-167). In East Grinstead, citizens complained about the influx of foreigners and the ensuing disruption to everyday activities in the town.

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[1] I will provide a detailed examination of the Guardian's Office in Chapters 3 and 4.

To extricate himself from the organization's problems, Hubbard resigned as President of the Church of Scientology in September 1966 (Miller, 1987: 263). Although it appeared that he had to remove himself from the operation of Scientology, he "still controlled the bank accounts, and still held the undated resignations of the board members of his many corporations. He still wrote the Policy of the Church, and issued his orders via written Executive Directives" (Atack, 1990: 167). In order to enhance the belief that he no longer controlled Scientology, Hubbard also left Britain.

2.3 The 'Sea Org'

When Hubbard failed to establish Scientology headquarters in Rhodesia, he formulated a plan wherein Scientology would operate from the 'high seas' (Atack, 1990: 168). According to Russell Miller, "he had begun making secret plans to set up the 'Sea Organization' [or Sea Org] on his return from Rhodesia in the summer of 1966, shrouding the whole operation with layer upon layer of duplicity" (Miller, 1987: 263). After superficially removing himself from Scientology leadership, he incorporated the Hubbard Explorational Company Ltd. in late 1966 as the first substantial step to realizing his goal (Atack, 1990: 168).

After the British government announced the banning of foreign teachers of Scientology in the fall of 1966, Hubbard left for North Africa (Atack, 1990: 171). From Las Palmes, Canary Islands, he purchased three

ships and prepared his fleet for future travels. He also had organization records transferred from Saint Hill to one of the ships (Miller, 1987: 272), thus indicating that the Sea Org was his new his base of operations.

From 1967 to 1974, the Sea Org traveled around the Mediterranean and east Atlantic, professing several different objectives. When the Sea Org first set sail, Hubbard claimed he was returning to his former career as an explorer (Miller, 1987: 263). Another 'cover story' was that the ships hosted a business consultancy firm (Miller, 1987: 326). In reality, the Sea Org served as Scientology headquarters.

By directing Scientology from outside a nation, Hubbard's "objective was to shake off the fetters on his activities and ambitions imposed by tiresome land-based bureaucracies; his vision was of a domain of his own creation on the freedom of the high seas, connected by sophisticated coded communications to its operations on land. Its purpose would be to propagate Scientology behind a screen of business management courses" (Miller, 1987: 264). Although Hubbard sought autonomy at sea, many interested parties, including "the CIA, the FBI, the international press and a miscellany of suspicious government and maritime agencies" (Miller, 1987: 263) tracked his movements.

In addition to partaking in organizational courses, Scientologists in the Sea Org participated in other, more covert, activities. Since Hubbard asserted that he had buried his worldly goods in his past lives, the Sea Org

went on frequent missions to find and unearth his treasures. Despite Hubbard's detailed descriptions of burial sites, the Scientologists sent on these assignments, by all accounts, never found anything of import (see Miller, 1987: 280-284) and succeeded only in bewildering the intelligence services that were following them (Miller, 1987: 297).

Another purpose of the Sea Org's travels was to locate a hospitable nation to establish a permanent land base. Again, the Sea Org members failed to achieve their goal, and by 1974, had antagonized nations and ports throughout the Mediterranean and east Atlantic. They were refused entry into ports,[1] expelled from nations,[2] and even driven offshore by a mob.[3]

Scientology's problems at sea reflected the difficulties it experienced throughout the world during this time. Investigations of the organization by several federal government agencies led to limitations,[4] and even outright

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[1] The harbor masters refused the Sea Org entry into the port at Gibralter in 1967 (see Atack, 1990: 176) and ports in Spain and Portugal in 1974 (see Atack, 1990: 207 and Miller, 1987: 326).

[2] Greece expelled the Sea Org in 1969 (see Atack, 1990: 191) and Morocco expelled the Sea Org in 1972 (see Atack, 1990: 203).

[3] In 1974, the local citizens of Madeira tossed debris at the Scientology ship *Apollo* and its crew and pushed cars and motorcycles belonging to Scientologists into the harbor (see Atack, 1990: 207 and Miller, 1987: 327).

[4] Great Britain and Rhodesia limited the practice of Scientology in 1969 (see Atack, 1990: 190) and New Zealand limited the practice of Scientology in 1969 (see Atack, 1990: 192). The South African Commission of Enquiry also recommended restrictions on Scientology in 1972, but never pursued legislative action to formalize the directives (see Atack, 1990: 203).

prohibitions, on the practice of Scientology.[1] In the United States, in addition to its ongoing problems with federal agencies, Scientology was placed on Richard Nixon's 'Enemies List' (Atack, 1990: 195).

Despite mounting international problems, the practice of Scientology continued aboard the ships of the Sea Org. Hubbard even expanded his organization to include new departments, which would play significant roles in the future of Scientology. In 1974, he founded the Rehabilitation Project Force (or RPF), which put supposedly deviant Sea Org members "through regimes of harsh physical punishment, forced self-confessions, social isolation, hard labour, and intense doctrinal study, all as part of leadership-designed efforts to regain members' ideological commitment" (Kent, 1997: 9). The RPF continues to be a significant mechanism of social control within Scientology.

Another important addition to the Scientology bureaucracy during this time was the Commodore's Messenger Organization (or CMO). According to Miller, "the CMO was staffed by the offspring of committed Scientologists and its original, apparently innocuous, function was simply to serve the Commodore [Hubbard] by relaying his verbal orders to crew and students on board the Apollo" (1987: 301). Over time, the CMO (with its unlimited access to Hubbard) became a very powerful group in Scientology.

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[1] In 1969, the states of Southern and Western Australia joined Victoria in banning the practice of Scientology (see Atack, 1990: 189).

In addition to expanding Scientology to include new departments, Hubbard also initiated an operation to repair the organization's damaged reputation by stealing U.S. government documents deemed unfavorable to himself and his organization. In 1973, Hubbard launched 'Operation Snow White,' under the supervision of the GO, and its purpose was "to infiltrate the agencies concerned, steal the [relevant] files and either destroy or launder any damaging information they contained" (Miller, 1987: 317). 'Operation Snow White' became an important focus of both Hubbard and the GO beyond the Sea Org's seafaring years.

While the everyday business of Scientology continued aboard the ships of the Sea Org, Hubbard initiated a significant change of course for the fleet. After alienating most ports and nations in the Mediterranean and east Atlantic, the Sea Org, hoping to enter the United States, set sail for Charleston, South Carolina in the summer of 1974. Upon hearing that several federal agencies awaited Hubbard's arrival,[1] the Sea Org relayed a message indicating that they were changing course to Nova Scotia, Canada,[2] but instead veered toward the Caribbean.

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[1] According to Atack, those awaiting the Sea Org included "agents from the Immigration Office, the Drug Enforcement Agency, U.S. Customs, and the Coast Guard, along with several U.S. Marshals who were to arrest Hubbard, and deliver a subpoena for him to appear in an Internal Revenue Service case." (1990: 208).

[2] Miller states that, in response to the false lead that the Sea Org was travelling to Nova Scotia, the FBI deployed several agents to await the Scientologists' arrival (1987: 328).

The following year was the final one that the Sea Org, and therefore Scientology, sustained its base on board the *Apollo*. During this time, the Sea Org travelled the Caribbean and encountered many of the same difficulties it faced in the Mediterranean and east Atlantic. In 1975, U.S. Secretary of State Henry Kissinger sent an unfavorable memo about Scientology to the American Embassies in the Caribbean, which further compounded the suspicions that had arisen as a result of the odd behavior of the Sea Org crew (see Atack, 1990: 209). Once again, the Sea Org faced banishment when Curaçao asked the ships to leave its port (Atack, 1990: 209).

Despite the problems that the Sea Org encountered while in the Caribbean, it also received favorable news from around the world. In the United States, several missions regained their tax-exempt status, and governments lifted the bans on Scientology in Australia and Rhodesia (Atack, 1990: 208). Sensing an increase in international tolerance toward Scientology, Hubbard decided to end the Sea Org's seafaring days and establish a permanent land base.

2.4 The 'Sea Org' Arrives In the United States

In the summer of 1975, members of the Sea Org left the Caribbean and dispersed across the United States. One group, including Hubbard and his family, settled in Clearwater, Florida after determining that it was an appropriate site for the future Sea Org Land Base and Scientology

headquarters (Miller, 1987: 335). Using the front corporation, "Southern Land Development and Leasing," Scientology purchased the Fort Harrison Hotel and began extensive renovations (Atack, 1990: 209). When Scientology, calling itself the "United Churches of Florida," also bought the Bank of Clearwater building, the local citizens became suspicious (Atack, 1990: 210).

Since it was largely unknown, even by Scientologists, that Hubbard was in Florida,[1] the citizenry of Clearwater did not immediately suspect that the church was behind the influx of new residents into the city. The amount of security present at Scientology-owned properties, however, caused concern, and Mayor Gabriel Cazares made public statements about the legitimacy of the "United Churches of Florida" (Atack, 1990: 210). Cazares's comments led Scientology to add him to its enemies list, and the local media began greater scrutiny of the situation.

When Scientology discovered that a local reporter uncovered its presence in Clearwater, it pre-empted the story by announcing its backing of the "United Churches of Florida" (Atack, 1990: 212). After the announcement, escalating charges of libel and slander, harassment, and civil rights violations passed between Scientology and both Cazares and the *St.*

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[1] According to Atack, "the entire Guardian's Office was put on alert, so that any hint of government of judicial action concerning Hubbard would be discovered early enough to spirit him away from potential subpoena or arrest" (1990: 210).

Petersburg Times, which eventually led to several lawsuits and counter-lawsuits (Atack, 1990: 212). Despite the hostile atmosphere in Clearwater, Scientology succeeded in establishing its headquarters there. Hubbard, however, left the city for Washington D.C., and then California, when his presence in Clearwater became known.

While Scientology fought the Clearwater establishment, greater problems surfaced in Washington. "The GO operation [Snow White] in Washington was finished. [Scientology agents] had penetrated U.S. government agencies willy-nilly. They had come and gone undetected for eighteen months, copying tens of thousands of pages of government files, including very sensitive and restricted material" (Atack, 1990: 237). After the government finally discovered evidence about the intelligence-gathering operation against it, in July 1977, the FBI raided the Los Angeles and Washington GOs, searching for evidence relating to the GO's illegal activities (Atack, 1990: 241). Fearing that authorities would uncover his involvement in 'Operation Snow White,' Hubbard went into even deeper seclusion in California.

By the time Hubbard established a base in California, the CMO was a very powerful force within the church. After the FBI raids, Hubbard stopped all contact with the GO and his communications with the organization were through only the CMO (Atack, 1990: 247, and Miller, 1987: 352). Previously, the CMO's primary objective was "protecting and serving the whims of

[Hubbard]" (Atack, 1990: 257), but due to its access to the leader, it "gradually [became] the most powerful element in the hierarchy of command" (Atack, 1990: 257).

Since his formal resignation as Scientology President in 1966, Hubbard took special care to conceal his continuing leadership of the organization. One act of concealment was his public renaming of the CMO to the Watchdog Committee (or WDC) (Atack, 1990: 258). Since Hubbard was known as the Commodore, it was important that the CMO did not appear to be connected to him as it achieved greater power within the organization (Atack, 1990: 258).

As the CMO (now WDC) acquired more control within the organization, established Scientology leaders faced considerable adversity. In August 1978, nine (eventually eleven) Scientologists from the GO, including Mary Sue Hubbard, were indicted on charges stemming from Operation Snow White (Miller, 1987: 356). Shortly after the GO leaders were charged, Hubbard, fearing he would also be indicted, stopped all contact with his wife and went into further seclusion, where he remained for the rest of his life (Atack, 1990: 258).

2.5 The Restructuring of Scientology

When the GO executives entered guilty pleas to the federal charges in September 1979, the CMO manipulated the situation to gain control of

Scientology. Hubbard decided that "the entire corporate structure was to be changed in a desperate attempt to avoid the consequences of Guardian's Office activities, and the ensuing concerted legal action against the corporate entity of which it was part, the Church of Scientology of California, the corporate heads of which were GO executives" (Atack, 1990: 260-261).[1] The restructuring served also to obscure illegal activities of the organization, Hubbard's continuing (although no longer direct) leadership of Scientology, and the transfer of money into Hubbard's private accounts (Atack, 1990: 260). The CMO orchestrated Scientology's reorganization and consequential expulsion of the 'old guard,' and claimed control of the organization for itself.

The first phase of the restructuring involved taking control of the beleaguered GO. The CMO expelled the remaining GO leadership, sending high-level officers to the RPF (Atack, 1990: 268) and inserting its own members into positions of power. After the takeover, according to Jon Atack, "the great GO machine was grinding to a halt" (1990: 268) and was, in 1981, absorbed into the CMO.

After overtaking the GO, the CMO conducted an internal purge, wherein the division declined to fewer than twenty members (Atack, 1990: 286) and continued to change the corporate organization of Scientology. The CMO incorporated the Religious Technology Center (RTC), an agency

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[1] The Church of Scientology International replaced the Church of Scientology of California as 'mother church' in 1981.

designed to control the trademarks of Dianetics and Scientology, and effectively govern the practice of Scientology, in early 1982.

A few months later, the CMO activated Author Services Incorporated (ASI), "ostensibly a non-Church [and initially for-profit] organization set up to manage Hubbard's affairs as a writer . . . and [collect] the author's royalties from the books produced by the two Scientology Publications organizations" (Atack, 1990: 286). The leadership of the RTC quickly assumed command of ASI, which immediately assumed management of the organization (Atack, 1990: 286).

Another change to the organizational structure was the introduction of the International Finance Police as a division of the RTC in June 1982. Although the CMO claimed the purpose of the division was to reconcile disputes between the mother church and mission holders (Atack, 1990: 269), its actual design was more inauspicious. The primary objective of the office was to retain stricter control over the missions, and therefore the practice of Scientology, by applying financial pressure to the individual mission-holders (Atack, 1990: 297).[1] Through its policies and tactics, the department succeeded at removing the final vestiges of autonomy held by the missions and helped the CMO gain absolute control over Scientology.

The restructuring of Scientology occurred amidst considerable conflict.

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[1] According to Atack, a target of $85 million in church income was set (probably by Hubbard) for the end of 1982, which may have contributed to

The management of the GO, which initially underestimated the abilities of the CMO, fiercely attempted to stave off the CMO takeover, before giving in to the CMO's unrelenting tactics (Atack, 1990: 266-268). Furthermore, several mission holders and senior Sea Org members protested the increasing control of the CMO. When the group encountered the resources and resolve of the powerful CMO, however, its members eventually acquiesced or left the organization (for examples, see Atack, 1990: 269-272, 393-299).

When the restructuring of the organization was nearly complete, the CMO introduced the successor to the GO in 1983. The CMO created the Office of Special Affairs (OSA) as a subsidiary of the Sea Org to direct the series of front groups that the GO managed during its tenure in Scientology (Atack, 1990: 391), taking special care to indicate that OSA did not, like its predecessor, partake in criminal activities. Despite Scientology's claims, Bent Corydon maintains that "the Office of Special Affairs is nothing more than a renamed GO" (Corydon, 1996: 426).

While Scientology leadership dealt with frequent internal disputes during the reorganization, it also faced external adversity. In March 1983, Canadian police raided the Scientology organization in Toronto, their warrant "[describing] the earlier theft of files from an Ontario hospital, the Committee on Healing Arts, the *Toronto Sun* and the Toronto government" (Atack, 1990: 309). The following year, "charges were finally brought against eighteen high-

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ASI's determined attempts to raise money through the missions (1990: 289).

ranking Church officials and former members, including the Church of Scientology [of Toronto] itself" (Atack, 1990: 346).

The situation escalated when Scientology conducted a seven-year campaign of character assassination against the Crown prosecutor in the case (see Onyshko, 1994: 1, 6-7). After nearly a decade of civil litigation, the Ontario Court of Appeal awarded (what at the time was) the "largest damage assessment in Canadian history" against the Church of Scientology and its attorney (Onyshko, 1994: 1).[1]

While Scientology fought the Canadian government, David Miscavige, a long-term CMO and Sea Org member, strengthened his position as leader of the organization. It was not surprising when in January 1986, Miscavige announced, with much fanfare, Hubbard's death after six years of living in seclusion (Miller, 1987: 375).

2.6 Scientology After Hubbard

Scientology persevered through the death of its founder, and yet continued to be plagued by problems with foreign governments. In Italy in September 1988, "seventy-six Scientologists had been committed for trial charged with offenses ranging from fraud to medical malpractice, and [par]taking in criminal conspiracy to extort money and unlawful detention"

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[1] In 1994, Crown prosecutor S. Casey Hill was awarded $1.6 million ($300,000 in general damages and $1.3 million in aggravated and punitive damages [Onyshko, 1994: 1]).

(Atack, 1990: 362), all relating to Narconon, a Scientology drug-rehabilitation organization. Two months later, sixty-nine Scientologists, also connected to Narconon, were arrested in Spain after massive raids on organizations throughout the country[1] (Atack, 1990: 363).

Notwithstanding its problems with foreign governments, Scientology resolved a long-running dispute with the IRS in the United States in 1993. According to Stephen A. Kent:

> [w]hatever may have been the merits of Scientology's case, the organization's promise to call off 2,300 lawsuits against the federal department likely was a factor in the favourable decision that it received. The long legal history of battles between Scientology and the IRS sent a clear message that this organization was fully prepared to cost the federal government tens of millions of additional dollars in legal costs and staff time (Kent, 2001: 25).

When the IRS granted Scientology tax exempt charitable status, the rewards extended beyond the financial. The decision also legitimized the organization's assertion of operating as a credible religious organization and, therefore, would assist in Scientology's conflicts with foreign governments (Kent, 2001: 7).

While Scientology acquired legitimacy in the United States, its efforts

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[1] By 2002, after years of legal proceedings, the Spanish authorities dropped all the charges due to lack of evidence (see Prima News Agency, 2002: 1).

were met with considerable resistance in Europe. By the end of the decade, many European nations identified, investigated, and disseminated unfavorable information about several ideological organizations, including Scientology (see Kent, 2001: 3). The French, German, and Belgian governments were particularly resolute in their refusal to grant Scientology status as a religion (see Kent, 2001: 31).

In an attempt to quash European resistance, Scientology utilized its new position in the United States. "As an American-based charity, Scientology's treatment in other countries became an issue for the Department of State" (Kent, 2001: 25). By mobilizing the support of its former opponent, the American government, Scientology exploited its charitable status based upon religious claims in an attempt to remove European opposition (Kent, 2001: 25) and, consequently, introduced friction into the United States's foreign relations with several European nations (Kent, 2001: 30).

Reacting to Scientology's actions, "French and German officials have responded in a number of ways. They have refused to grant tax concessions; they have written critical reports; and they have placed the group under varying degrees of scrutiny (including raids in France and Belgium, and monitoring by the government's constitutional police in Germany)" (Kent, 2001: 30). Despite Scientology's lobbying efforts in Europe, the church has been incapable, to date, of matching its American triumph over governmental

opposition.

Chapter 3

3.1 Scientology's Critics

The publication of *Dianetics: The Modern Science of Mental Health* (1950) incited an intense scrutiny of Hubbard's theories that persisted through the establishment of Scientology. During the tenure of the Dianetics movement, most criticism originated from the media and the psychiatric profession, as both questioned the legitimacy of Hubbard's claims.

After Hubbard initiated Scientology in 1952, the censure by outside sources escalated. By the end of the decade, several federal agencies were investigating the practices of Scientology in the U.S. To avoid the challenges, Hubbard, expecting a more hospitable environment from which to run the organization, relocated to Great Britain. For the duration of his stay at the Saint Hill Manor, the Australian government completed an inquiry into Scientology that led to a nation-wide ban of the practice in 1965, prompting Great Britain to begin its own investigation.

By 1966, Scientology faced the increasing external pressures of international government and public scrutiny. Rather than acknowledge the legitimacy of the attackers' claims and make the appropriate organizational changes, Hubbard rejected their allegations. Instead, he maintained that there was an international conspiracy of Scientology's enemies, wherein various groups and organizations assembled to plot the demise of the

corporation.[1]

Hubbard believed that the World Federation of Mental Health was behind the conspiracy against Scientology. He claimed that the international organization of mental health care professionals and its national counterparts' members were entrenched in the various government and private organizations that opposed Scientology's practices (LRH Aides, 1969: 3-7). Although his suspicions were unsubstantiated, Hubbard perpetuated this belief throughout his term as Scientology's leader.

Although Scientology faced scrutiny from many outside sources, there was no evidence of an organized campaign against the corporation. Hubbard's conspiracy theories were a product of his paranoia, rather than an accurate interpretation of reality. For its implications for sociological theory, this point is important to note, since, in his theory of elite deviance, Coleman does not address the possibility that corporate leaders may misconstrue and overstate perceived threats.

3.2 The Creation of the Office of the Guardian

As a reaction to the attacks on Scientology, Hubbard created the 'Public Investigation Section' in an attempt to preserve his organization (see Hubbard, L. Ron, 1966b: 1-3). A month later, he renamed the agency the

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[1] Hubbard referred to the conspiratorial group as Smersh (see Hubbard, L. Ron, 1971: 1-5) and the Tenyaka Memorial (see Hunt, 2003: 1).

Office of the Guardian (GO) and appointed his wife, Mary Sue, as 'Guardian,' or leader of the division.[1] Shortly thereafter, he resigned as President of the Church of Scientology (Miller, 1987: 263) in order to deny personal responsibility for the organization's activities, although, for all practical purposes, he retained control.

According to Hubbard, the primary mission of the GO was "to help LRH [Hubbard] enforce and issue policy, to safeguard Scientology Orgs, Scientologists and Scientology and to engage in long term promotion" (Hubbard, L. Ron, 1966c: 1). He divided this objective into several areas, including 'policy,' 'danger,' 'affluence,' 'long range promotion,' and 'information.'

The Guardian primarily enforced Hubbard's policies and had limited power to create new policy for the GO. When creating new policy, it was the Guardian's responsibility to ensure consistency with existing policy. Furthermore, the GO contained the files of all recommended policies (Hubbard, L. Ron, 1966c: 1).

The 'danger action' referred to the security of Scientology. In addition to responding to emergency situations, wherein staff members' mistakes jeopardized the organization, this area included the prevention of future errors. To maintain internal security, the GO maintained extensive files on

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[1] Mary Sue Hubbard held the position of 'Guardian' until January 1969, when she was appointed 'Controller,' retaining the leadership of the GO.

members and encouraged all Scientologists to report any indiscretions of others in the church (Hubbard, L. Ron, 1966c: 1-2).

The GO also was responsible for monitoring the 'affluence,' or financial standing of the individual Scientology organizations. If an organization reported substantial financial growth, then the GO investigated the conditions surrounding the increase in revenues and produced a report containing policy to be applied to other organizations (Hubbard, L. Ron, 1966c: 2).

Another responsibility of the GO was the 'long range promotion' of Scientology. This action included both internal and external publicity, as well as the approval and execution of public relations strategies (Hubbard, L. Ron, 1966c: 2).

The 'information' section included intelligence-gathering and espionage, both within and outside of Scientology. The 'Planetary Information Unit' was responsible for gathering intelligence outside Scientology that might impact the organization. The 'Planetary Planning Unit' attempted to prevent outside attacks and responded to other external situations. The 'Org Information Unit' monitored dissent within Scientology and passed information to the 'Org Planning Unit' to respond to internal problems (Hubbard, L. Ron, 1966c: 2-3).

3.3 The Structure of the Office of the Guardian

In order to effectively implement the directives of Hubbard, the GO functioned at many levels. The GO headquarters, which was known as the Guardian's Office World Wide (GOWW), was located in Saint Hill Manor in Great Britain. 'Continental' offices were located in the United Kingdom, East U.S., West U.S., Europe, Australia, New Zealand and Africa. Later an office was added to serve Latin America (Atack, 1990: 218).

Each office comprised six bureaus to enforce the GO mandate. The 'Information Bureau' (B1)[1] was responsible for identifying and collecting information on 'enemies' of the organization. B1 achieved this objective by amassing data on both outsiders and practicing Scientologists. In addition to intelligence-gathering, B1 also admonished critics of Scientology.

The 'Service Bureau' (B2) provided internal management for the GO. Its primary objective was the provision of training for all the bureaus of the GO, with the exception of intelligence training, which B1 exclusively imparted.

The 'Public Relations Bureau' (B3), according to Atack, "exist[ed] to combat bad press and emphasize successes" (1990: 388). B3 was responsible for generating and monitoring publicity about Scientology through outside media sources and suppressing unfavorable reports by neutralization

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[1] The 'Information Bureau' was initially named the 'Intelligence Bureau,' prior to being renamed in 1973 (see Hubbard, L. Ron, 1973: 1 and Atack, 1990: 218).

of referral to the 'Legal Bureau' for possible litigation. The 'Public Relations Bureau,' moreover, managed the production of all Scientology publications.

The 'Legal Bureau' (B4) handled Scientology's legal affairs. When pursuing legal actions, the B4 staff followed Hubbard's directive:

> The purpose of the suit is to harass and discourage rather than to win. The law can be used very easily to harass, and enough harassment on somebody who is simply on the thin edge anyway, well knowing that he is not authorized, will generally be sufficient to cause his professional decease. If possible, of course, ruin him utterly (1955: 157).

Because the 'Legal Bureau' zealously followed Hubbard's decree, Scientology relentlessly engaged its perceived enemies in lawsuits.

The 'Finance Bureau' (B5) carefully monitored the financial affairs of all Scientology organizations. Through the provision of auditors, B5 scrutinized the accuracy and legality of the financial affairs of every section of Scientology.

The 'Social Coordination Bureau' (B6) promoted the infiltration of Scientology front-groups into mainstream society. In addition to its religious missions, Scientology also included other organizations that served to promote its belief system. While operating under the pretext of providing

educational and rehabilitation services[1] or promoting citizens' rights, these enterprises promoted Hubbard's belief system and were closely associated with Scientology (Atack, 1990: 391).

While all the bureaus of the Guardian's Office worked to control the presentation of the organization, the Information (B1) and Legal (B4) Bureaus played the most important, and surreptitious, roles. B1 and B4 acted concurrently, and often illicitly, to identify and silence critics, both within and outside of Scientology. Furthermore, although they played prominent roles in the corporation, for the most part, their activities were unknown to the vast majority of practicing Scientologists.

In his theory of elite deviance, Coleman posits that organizations usually obtain the services of outside private investigators when collecting information on both internal and external corporate enemies. Furthermore, he states that outside investigators are commonly hired on a project-by-project basis, rather than being retained by the organization and deployed when a situation develops (1998: 58).

Although Coleman recognizes also that organizations may fund full-time intelligence units, he suggests that, in these instances, they redistribute existing corporate personnel to perform the necessary information-gathering duties and disband when the project is complete. His theory does not

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[1] Scientology-related enterprises included Narconon, Criminon, Applied Scholastics, and the World Institute of Scientology Enterprises (WISE).

address the establishment of permanent information-gathering networks which continually gather information on all potential and recognized corporate enemies (1998: 58-59).

While Coleman acknowledges corporate intelligence activities, his theory of elite deviance does not exemplify the formation of Scientology's Guardian's Office, wherein the organization maintained a full-time information-gathering network. Due to this deficiency in this theory, Coleman, moreover, does not suggest the possible structure and activities of internal corporate intelligence divisions.

3.4 Internal Intelligence

Scientology's ideological practices provided the organization with an extraordinary ability to collect information about its members. During auditing sessions, wherein 'counselors' verify members' confessions with e-meters, the auditors maintained detailed records called Pre-Clear, or PC files, that became the property of Scientology. As a result of this practice, the Information Bureau (B1) of the GO compiled voluminous files on every member that included confirmed factual and personal information.

Although Scientology assured members that their PC files would remain private, the organization reneged on this promise whenever a member failed to comply with the organization's directives (Corydon, 1996: 147-148). According to Judge Paul G. Breckenridge, Jr., Scientology's GO was involved

with "the practice of culling supposed confidential 'P.C. folders or files' to obtain information for purposes of intimidation and/or harassment" (1984: 10-11), thereby violating the members' civil rights.

In addition to culling PC files, Scientology also utilized the auditing practice to preemptively seek out disloyal members. In a practice known as 'security checking,' or 'sec-checking,' auditors questioned members, who were connected to e-meters, to determine if they represented security threats to the organization.[1] As well as identifying internal security risks, sec-checking served also to intimidate members and discourage them from even thinking critically about the organization (Corydon, 1996: 149).

If potential threats to the organization were not found through culling PC files or sec-checking, then the GO also had devised a system in which members could inform on others whom they suspected were security risks. The GO encouraged members to file reports if they witnessed any violations of Scientology's rigorous code of 'Ethics,'[2] and even provided a reporting form, known as a 'knowledge report,' and procedure.[3]

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[1] For examples of the questions used in the sec-checking process, see Atack, 1990: 150-152.

[2] Hubbard compiled his numerous policies on Ethics into a volume entitled *Scientology: Basic Staff Hat Book* (1968c), which was required reading for all practicing Scientologists.

[3] Mary Sue Hubbard proffered the first version of the reporting form in an Executive Directive entitled "Guardian Intelligence and Investigation Reports" (1969).

'Ethics Officers' served to seek out and investigate potential ethics violations. Furthermore, they compiled and monitored the substantial member files, which were comprised of PC files, sec-checking records, and knowledge reports (Hubbard, L. Ron, 1965a: 1-2). In effect, Ethics Officers enforced Scientology policy while preparing to counteract any threats to the organization's security.

In his theory of elite deviance, Coleman addresses the importance of ethics in corporate culture. He states, however, that, for the most part, ethics in the corporate setting are not formalized, but assumed. Furthermore, he posits that "widely divergent ethical standards and attitudes among members of the workforce might interfere with the smooth operation of the organization" (1998: 196-197).

While Coleman's theory attends to the importance of corporate ethics, it fails to explain the reality of Scientology's ethics system. As a prescribed ideological framework, Scientology's ethics govern behavior both inside and outside of the organization. Absolute conformity to Scientology's ethics, moreover, is a requirement of continued membership in the organization, and rather than fearing only "the threat of dismissal" (Coleman, 1998: 194) that exists in most corporations, Scientologists who fail to adhere to the rigid ethical code in Scientology also face excommunication.

Coleman's theory fails also to address the circumstances surrounding Scientology's internal security methods during the term of the GO. Coleman

never conceptualizes a situation wherein members provide personal information through the use of an e-meter while under the guise of participating in ideological rituals. He neglects also to posit a circumstance similar to Scientology's sec-checking practice, in which an organization preemptively seeks out security risks with the use of an e-meter.[1]

Another area related to internal security that Coleman fails to address is the encouragement of members to inform on other members. Coleman does not envision the formalized system of disloyalty-searching that occurred within Scientology, and, therefore, disregards the possibility that an organization may achieve intelligence by promoting the betrayal of members.

3.5 External Intelligence

In addition to compiling information on members of the corporation, Scientology carefully monitored outside individuals and organizations. In order to discover potential enemies, members examined their daily interactions and obligingly reported any anti-Scientology sentiments to the Guardian's Office. The Public Relations Bureau (B3), moreover, constantly scrutinized the media

(Hubbard, L. Ron, 1966c: 2-3) and recorded any mention of Scientology. All

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[1] Although Coleman mentions that corporations take advantage of technological innovations by using computers and blood tests to compile information, he fails to address the use of the polygraph (which is similar to the e-meter) in intelligence operations (1998: 57-58).

relevant media reports were meticulously filed (Hemery, 1960: 1-2) and considered for further action, if necessary.

Scientology referred to all criticism of the organization as 'enturbulated theta,' or 'entheta,' and resolved to suppress negative discourse. Through constant environmental monitoring, the Guardian's Office carefully tracked the discussion on and actions against Scientology[1] in order to determine which future measures it might take to control them.

Since "Hubbard insisted that his ethics system should also be applied to 'wogs' (non-Scientologists)" (Atack, 1990: 173), Scientologists subjected outsiders to the same procedures that problematic members faced. After members identified 'wog' critics, they prepared intelligence reports[2] outlining the ethical violations of the offender. 'Knowledge reports' served to notify the Information Bureau of potential threats to the organization and signal a need for further investigation.

While Coleman acknowledges that organizations often identified external threats (1998: 58), he fails to address the process of detecting and classifying critics. In his theory of elite deviance, Coleman does not recognize the possibility that corporations may have permanent departments

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[1] For an example of Guardian's Office records of 'entheta' in the media, see Kember, 1971: 4.

[2] Scientology used the same reporting form for both members and 'wogs' (see Hubbard, Mary Sue, 1969).

that monitor the environment for detractors and meticulously record all mentions of the organization that occur in the outside world. Furthermore, Coleman does not suggest that corporations may expect non-members to comply with internal ethical codes.

3.6 Identifying Critics

After an arbitrary number of 'knowledge reports' accumulated on any member or non-Scientologist, the organization initiated the formalized procedure of classifying the offender as an 'enemy' of Scientology. The first stage of the process was a 'Committee of Evidence,' wherein the Guardian's Office reviewed the offender's file and assessed whether there was proof of a violation of Scientology's ethical code. During this phase, the organization evaluated the offender's behavior according to Hubbard's classifications for 'Crimes' and 'High Crimes'[1] and made a determination of guilt (Atack, 1990: 156). If, during the 'Committee of Evidence,' the offender's "'criminality' was sufficient, then he would be given a 'Suppressive Person Declare,' copies of which would be posted in Scientology organizations" (Atack, 1990: 156).

Hubbard defined a 'Suppressive Person' or 'Suppressive Group' as "one that actively seeks to suppress or damage Scientology or a Scientologist by 'Suppressive Acts'" (1965b: 1). He claimed that 'Suppressive Acts' were "actions or omissions undertaken to knowingly suppress, reduce or impede

[1] For an example of a 'High Crime' violation, see Hubbard, L. Ron, 1967b.

Scientology or Scientologists" (1965b: 2). Essentially, Hubbard considered anyone that was critical of Scientology to be a 'Suppressive Person or Group.'[1]

In order to ensure that no Scientologist would be unduly influenced by a 'Suppressive Person,' Hubbard enacted consequences for any member who interacted with a 'Suppressive Person or Group.' Scientology labeled members "connected by familial or other ties" (Hubbard, L. Ron, 1965b: 4) to a 'Suppressive Person' as 'Potential Trouble Sources.' After attaining 'Potential Trouble Source' status, members saw their organizational standing suspended until they chose to either leave Scientology or disengage from their relationships with the offender (Hubbard, L. Ron, 1965b: 4).

If 'Potential Trouble Sources' chose to stay in Scientology, then the organization demanded that they sever all ties to the 'Suppressive Person[s] or Group.' In a process entitled 'Disconnection,' 'Potential Trouble Sources' informed their 'Suppressives' that they were ending their connection and then publicly renounced their association with the reputed malefactors. Scientology also required that, in order to recommence good standing in the corporation, the 'Potential Trouble Source' had to take any required civil action to dissolve legal ties to the 'Suppressive Person or Group' (Hubbard, L.

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[1] In addition to his initial policy on 'Suppressive Persons' (1965b), Hubbard included more detailed observations on the characteristics, motives, and actions of 'Suppressive Persons' in a policy letter entitled "Suppressive Persons, Main Characteristics of" (1965c).

Ron, 1965b: 4).

In his theory of elite deviance, Coleman addresses the importance of isolating members from critical outsiders. He claims that it insulates members "from the condemnation they would otherwise receive from those outside the social world of their organization and ...discourages normal skepticism" (1998: 199) of authorities in the workplace. Coleman, however, does not suggest any formal processes for achieving member isolation, and, ergo, does not clarify the 'Disconnection' practice which occurs in Scientology.

Although Coleman underscores the importance of dedication to the organization and conformity to its rules (1998: 194), he does not adequately address the potential effects of failure in these areas. He claims that "the threat of dismissal" (1998: 1994) is the ultimate punishment for the inability to comply with organizational norms, but does not recognize that ideological corporations wield the threat of excommunication, which may cause even more distress to members than the fear of losing employment.

While Coleman does not address the act of formally identifying and labeling critics of the organization, he does acknowledge the importance of the corporation providing definitions for members (1998: 197). Coleman, conversely, infers that classifications are informally made and disseminated through the organization, rather than specifying a formalized system for labeling and reacting to critics. Consequently, Coleman's theory does not address the prescribed process of identifying and responding to 'Suppressive

Persons or Groups' that occurs in Scientology.

3.7 Actions Against 'Suppressive Persons'

Any person or group whom Scientology labeled 'Suppressive' faced the dire consequences of the organization's wrath. Hubbard asserted that 'Suppressive Persons" were not entitled to any rights and promised that Scientologists who took any actions against a 'Suppressive Person' would not be punished (1965b: 5). Furthermore, he added the condition of "Enemy" to the code of ethics (1967a: 1) to ensure that corporate policy included the handling of 'Suppressives.'

In a policy entitled "Penalties for Lower Conditions" (1967a), Hubbard articulated his strategy for the treatment of 'Suppressive Persons or Groups.' He stated that 'Suppressives' were 'Fair Game' and "[m]ay be deprived of property or injured by any means by any Scientologist without any discipline of the Scientologist . . . [and] [m]ay be tricked, sued or lied to or destroyed" (1967a: 1). His decree demonstrated Scientology's stance on enemies and was the basis for all corporate policies that addressed the handling of 'Suppressive Persons or Groups.'

Once the 'Fair Game Policy' leaked to the public, its inflammatory language caused a backlash against Scientology (Atack, 1990: 188). To counter the bad publicity, Hubbard issued a policy entitled "Cancellation of Fair Game," in which he stated that "[t]he practice of declaring people Fair

Game will cease" (1968a: 1). By implying that the practices of the 'Fair Game Policy' no longer occurred, he hoped to diminish public scrutiny of the organization.

The text of the "Cancellation of Fair Game" (1968a) Policy letter, however, included another superseding, and contradictory, message. After denouncing the use of the phrase 'Fair Game,' Hubbard added that "[t]his P/L [Policy Letter] does not cancel any policy on the treatment or handling of an SP [Suppressive Person]" (1968a: 1). As a result, the corporation continued to practice the 'Fair Game' policy.

Once Scientology labeled a 'Suppressive Person' 'Fair Game,' the organization continued its intelligence-gathering efforts and added new methods. Guardian's Office correspondence shows that the division incorporated infiltration, bribery, buying information, robbery, and blackmail as techniques of attaining information on enemies, and, furthermore, acknowledged the illegality of the organization's methods (Hollon, 1968: 1). The Guardian's Office viewed criminal actions as being within the scope of accepted information-gathering practices.

Scientology went beyond endorsing illegal data collection methods. The Guardian's Office proffered a detailed memorandum outlining "a description as to how the professional operates in stealing materials by infiltration or by straight breaking, entering and theft" (Budlong, 1974: 1). The communiqué, entitled "Re: The Security and Theft of Materials" provided the

comprehensive framework describing the planning and implementation of criminal operations against 'Suppressive Persons or Groups' utilized by the Information Bureau of the Guardian's Office.

In addition to expanding Scientology's range of intelligence methods, Hubbard enhanced the tactics of the 'Fair Game' policy with more specific policies designed to assist members in discrediting enemies. Hubbard suggested that 'Noisy Investigations' were an effective method of intimidating and silencing 'Suppressive Persons or Groups' (Hubbard, L. Ron, 1966a: 1-3). By contacting all associates of an organizational enemy and stating that the adversary was under investigation for violations of religious liberties, the tactic served "not to collect information, but to spread suspicion" (Atack, 1990: 167-168).

Scientology practiced another method of bringing corporate enemies into disrepute. According to Hubbard, 'Dead Agenting' entailed "feeding lurid, blood, sex crime actual evidence on the attackers to the press" (1974: 4). This tactic included publicizing both unfavorable factual and fabricated information about corporate enemies.

In cases that involved long-term threats to Scientology, 'Dead Agenting' policy progressed into a 'Black PR [Public Relations]' campaign. Ultimately, the 'Black PR' campaign functioned not only to destroy the reputations of corporate enemies, but also "to discredit them so thoroughly that they will be ostracized" (Hubbard, L. Ron, 1974: 8). Hubbard recognized

that, in order to decisively and permanently silence enemies, the organization's tactics must impact the 'Suppressive Person or Group' in the world outside Scientology.

Scientology also manipulated the legal system in order to oppress its enemies. Hubbard stated that:

> [t]he purpose of the [law]suit is to harass and discourage rather than to win. The law can be used very easily to harass, and enough harassment on somebody who is simply on the thin edge anyway, well knowing that he is not authorized, will generally be sufficient to cause his professional decease. If possible, of course, ruin him utterly (Hubbard, L. Ron, 1955: 157).

By recognizing the power of litigation to cause emotional strain and financial depletion, Scientology effectively intimidated and silenced 'Suppressive Persons and Groups.'

Coleman's theory of elite deviance does not address the legal, yet unethical, use of legitimate channels to oppose corporate enemies. Furthermore, he does not acknowledge that organizations may undertake litigation in order to intimidate enemies. As a result of this oversight, his theory does not account for Scientology's manipulation of the legal system.

While Coleman does not discuss the utilization of litigation as a method of oppressing enemies, he mentions other legal, yet unethical activities that

corporations may undertake. In his case study analyses, he discusses situations wherein corporations attempted to uncover disparaging information about opponents by hiring private investigators (1998: 58-59). He, however, fails to provide any circumstances where other organizations, like Scientology, effectively utilized negative data against enemies.

Although Coleman agrees that corporations sanction illegal member behavior, he fails to sufficiently illustrate the extent to which criminality may be a part of organizational culture. He does not recognize the existence of a formalized criminal methodology within organizations, but, conversely, claims that the spread of criminal knowledge and techniques occurs on an informal level (1998: 209). Coleman, moreover, does not determine the potential severity of criminal acts undertaken by members working on behalf of their organization to suppress enemies.[1] While Coleman acknowledges the occurrence of illegal actions within organizations, his theory does not address the formalization and extensiveness of Scientology's criminal activities.

In his theory of elite deviance, Coleman discusses the factors surrounding illegal actions by organizational members. He suggests that a process of 'neutralization' must occur in order for members to justify performing criminal activities on behalf of the corporation. In order to rationalize illegal behavior, members must either redefine criminal activities

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[1] In his case study analysis, Coleman only mentions General Motors's harassing phone calls to Ralph Nader as an example of corporate oppression

as being tasks which are part of their normal work routine (1998: 198) or come to view the laws that they are breaking as unjust or unnecessary (1998: 190). Coleman believes that members are motivated by the drive for corporate survival and economic advancement to successfully 'neutralize' any reservations about partaking in illegal acts (1998: 190).

Although the process of 'neutralization' occurs in Scientology, members are not only influenced by economic and occupational factors. Because Scientology is an ideological organization, members also are motivated by their faith in the belief system and their deification of L. Ron Hubbard. Therefore, they are less likely to question policies, disguised as scripture, that advocate criminal activities.

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of enemies.

Chapter 4

4.1 Guardian's Office Operations Against Enemies

Since its inception, Scientology faced many attacks from outside critics and former members. To respond to the wide range of opponents, Hubbard established the Guardian's Office and developed policies to preserve the security of the organization. Members of the Guardian's Office advanced Hubbard's program of responding to perceived threats.

Throughout the tenure of the Guardian's Office, its members used Hubbard's policies to identify, investigate, and develop operations against enemies. By categorically following Hubbard's guidelines and generating new policies in accordance with Hubbard's instructions, the Guardian's Office leadership manufactured an extensive assortment of tactics that they used to gather intelligence and respond to threats. To effectively manage these perceived threats, the Guardian's Office initiated operations against many of Scientology's enemies and critics. In order to most successfully silence critics, the Guardian's Office customized its operations by identifying and exploiting their weaknesses.

To best illustrate Guardian's Office actions, I selected operations that best represent the activities that occurred during the tenure of the department. In order to demonstrate the variety of critics that the organization targeted, I chose operations directed against an outside detractor (Paulette

Cooper) and a former member (Nan Mclean) and her family. These cases, furthermore, accurately demonstrate the wide range of tactics used by the Guardian's Office and reflect the implementation of Hubbard's policies in Scientology.

4.2 Early Conflicts With Paulette Cooper

Paulette Cooper, who is an American journalist, first became a target of Scientology's tactics after she published "The Tragi-Farce of Scientology" in *Queen* magazine in 1969. The circulation of the article, which was critical of the organization's belief system and practices, drew Scientology's attention and its officials initiated a campaign of harassment against her. Early tactics included "following, phone calls, Scientology spies, libelous statements [and] four frivolous lawsuits" (Cooper, 1997: 2:1). Cooper, furthermore, received death threats and discovered that a wiretap was on her phone (City of Clearwater, 1982: 4).

Cooper expounded on her article and published *The Scandal of Scientology* in 1971, despite Scientology's continuing offensive against her. After Scientology claimed that Cooper encouraged another writer (Robert Kaufman) to write a book critical of the group and named her as a defendant in its lawsuit against Kaufman (Supreme Court of the State of New York, 1972: 4), she began a counterattack (City of Clearwater, 1982: 4).

In 1972, Cooper "became the first person to sue [Scientology] for

harassment" (City of Clearwater, 1982: 4) when she filed a lawsuit against the corporation. In the verified amended complaint (Supreme Court of the State of New York, 1972: 1-9) Cooper elaborated on the criminal and deviant actions of the group and demonstrated a clear pattern of harassment. Scientology's conduct in its interactions with Cooper was consistent with Guardian's Office policies on the management of enemies.

Since Cooper's writings were critical of the organization and, therefore, considered to be 'entheta,'[1] the Public Relations Bureau of the Guardian's Office immediately began an investigation. In her lawsuit, Cooper claimed that, in its attempts to collect information about her, Scientology violated her right to privacy. Cooper, furthermore, stated that Scientology's intrusion into her life was intentional (Supreme Court of the State of New York, 1972: 6).

Cooper's causes of action in her lawsuit demonstrated that Scientology's conduct toward her indicated that the organization declared her a 'Suppressive Person' and employed the 'Fair Game Policy' in its interactions with her. Cooper claimed that, in addition to the aforementioned violations of privacy, Scientology's investigatory techniques escalated to include illegal data collection methods. As causes of action, she asserted that Scientology trespassed on her property and on the property of her agents, planted a wiretap on her telephone, and illegally installed other

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[1] In an internal memo, Jane Kember acknowledged that Cooper's writings were 'entheta' and suggested avenues for investigating the writer

surveillance equipment in her home (Supreme Court of the State of New York, 1972: 7), which were methods endorsed by Guardian's Office policy.

Other actions by Scientology that Cooper mentioned demonstrated that the organization applied other Guardian's Office methods to its conduct in their dispute. Cooper's assertions exhibited Scientology's utilization of the 'Noisy Investigation Policy,' wherein the organization attempted to intimidate and silence Cooper as part of its data collection techniques. In her legal claim, Cooper alleged that, while investigating her, Scientology proffered falsehoods designed to misrepresent the truth (Supreme Court of the State of New York, 1972: 8) and attempted to "intimidate and silence" herself and others (Supreme Court of the State of New York, 1972: 7).

Cooper, moreover, listed Scientology actions that were consistent with 'dead agenting' tactics in a 'Black PR campaign' against her. She stated that Scientology acted to destroy her on both personal and professional levels. She disclosed that she "suffered ridicule embarrassment, vexation, humiliation, mental distress, loss of sleep and injury to a property interest inherently and inextricably woven into plaintiff's personality" (Supreme Court of the State of New York, 1972: 6) as a result of Scientology's harassment. Cooper mentioned also that Scientology sought to destroy her writing career by publishing untruths about her (Supreme Court of the State of New York, County of New York, 1972: 7) and pressuring publishers to refuse to feature

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(Kember,1972: 1).

her work (Supreme Court of the State of New York, 1972: 8).

In addition to the wide range of methods mentioned in her claim, Cooper maintained that Scientology agitated her by abusing the legal system. She alleged that the organization engaged in a systematic practice of "malicious prosecution and malicious abuse of process . . . as part of a campaign of harassment" (Supreme Court of the State of New York, 1972: 7). The manipulation of the legal system to aggravate enemies is consistent with 'Fair Game Policy,' which recommends using lawsuits in order to injure 'Suppressive Persons.'

4.3 The Escalated Attacks on Paulette Cooper

After Paulette Cooper filed her 1972 harassment lawsuit, Scientology intensified its 'Black PR campaign' against her. Because of the continuing troubles with the organization, Cooper moved to a more secure apartment building in New York City on December 15 1972, and her cousin Joy occupied her former home. Four days later, Joy, who physically resembled Cooper, was the victim of a violent crime (City of Clearwater, 1982: 5).

According to Cooper, Joy answered the door to a man who was holding a bouquet of flowers. He reached into the flowers, pulled out a gun, aimed it at Joy's temple and pulled the trigger. The gun was either empty or misfired and failed to discharge and the man proceeded to begin strangling her. After she screamed and broke away, her attacker fled (Cooper, 1997:

Part 3, Page 2).

At the City of Clearwater Commission Hearings Regarding the Church of Scientology in 1982, Cooper testified that she believed she was the intended target of the attack on Joy, and that the incident was a failed attempt to kill her. She suggested that the occurrence demonstrated that Scientology ordered Auditing Process R2-45 to be applied to her (1982: 5).

Hubbard first posited Auditing Process R2-45 in *The Creation of Human Ability* in 1954. He described it as "an enormously effective process for exteriorization,[1] but its use is frowned upon by this society at this time" (Hubbard, L. Ron, 1954: 120). While the church claimed that the policy was a joke, "[a] number of former Scientologists who are now critics of the church assert that R2-45 is meant to authorize killing its antagonists with a .45-calibre pistol" (Rawitch and Gillette, 1978: 2).

Despite Scientology's denials, the organization's policies supported the existence of the policy. In an Ethics Order entitled "Racket Exposed," Hubbard named several targets of the 'Fair Game' policy and suggested that "[a]ny Sea Org member contacting any of them is to use Auditing Process R2-45" (Hubbard, L. Ron, 1968b: 1). Although Scientology dismissed the possibility that it implemented 'Auditing Process R2-45,' its internal documents and the assertions of former members suggest that the

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[1] "Exteriorization, in Scientology terminology, is the ability of the mind, or 'thetan' to physically leave the body" (Rawitch and Gillette, 1978: 2).

organization subjected Paulette Cooper to the policy.

In addition to the suspected attempt at executing 'Auditing Process R2-45,' Scientology, during the same month, also commenced other operations designed to permanently silence Cooper. Soon after the attack on Joy, FBI agents questioned Cooper about two bomb threats that were sent anonymously to James Meisler[1] at the New York Church of Scientology. They stated that Meisler suspected that Cooper was the author of the threats and then requested her fingerprints. Cooper cooperated with the investigation and permitted the FBI agents to take them (Cooper, 1997: Part 4, Page 1).

Confident in her innocence, Cooper appeared before a federal grand jury investigating the bomb threats in April 1973, believing she was appearing as a witness. She was shocked to find out that the bomb threats contained her fingerprints (City of Clearwater, 1982: 6). After the grand jury concluded its investigation, Cooper was indicted on two felony counts of sending bomb threats through the mail and one count of perjury for her denials while under oath (Cooper, 1997: Part 9, Page 1).

Two weeks before her trial was to start, Cooper underwent a sodium pentothal examination, wherein she was asked about her involvement in the crimes for which she was indicted. She passed the exam and the

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[1] Meisler was the Scientology Public Relations Officer responsible for "handling" Cooper (Cooper, 1997: Part 4, Page 1).

government agreed to postpone the trial on the condition that she visit a psychiatrist (City of Clearwater, 1982: 8). Two years later, in 1975, authorities dismissed the charges against her (Rawitch and Gillette, 1978: 9) and "it was not until October 1977 . . . that she was advised by the FBI that evidence had been obtained bearing out her allegations against Scientology" (*Publishers Weekly*, 1978: 15).

Scientology's actions against Cooper were consistent with practices related to the enactment of the 'Fair Game' policy. In addition to facing fines and a federal prison sentence, Cooper also contended with the financial and emotional stresses of defending herself in a criminal trial. If the plot had succeeded, then Scientology would have successfully silenced one of its most outspoken critics.

Scientology's attempt at framing Cooper for sending bomb threats, furthermore, was consistent with the tactics of a 'Black PR' campaign. By making it appear that Cooper had a personal vendetta against Scientology, the organization ensured that Cooper would have no credibility when writing about or speaking out against it. The federal indictment also served to ensure Cooper's ostracism in both her professional and social circles.

After Scientology failed to frame Cooper and the government dropped the charges against her, the organization changed its tactics. According to Cooper, "during this period, [Scientology] started a new type of harassment" (City of Clearwater, 1982: 9). In early 1975, the Information Bureau of the

Guardian's Office arranged for a group of its Boston members to break into the office of Dr. Stanley Cath, Cooper's former psychiatrist, in Belmont, Massachusetts. The Scientologists burglarized Dr. Cath's office and removed Cooper's psychiatric file. They made copies of the file, which were distributed throughout the organization, and clandestinely returned to Dr. Cath's office to replace the file[1] (Bradlee Jr., 1983: 4).

Once Scientology had Cooper's psychiatric file in its possession, the organization utilized the information to "attack, discredit and embarrass [her]" (United States District Court for the District of Massachusetts, 1981: 3). Scientology mailed copies of the file to Cooper and her friends and relatives and "she underwent severe emotional trauma, lost weight, was unable to work and suffered from paranoia"[2] (United States District Court for the District of Massachusetts, 1981: 3).

Scientology's theft of Cooper's file was consistent with its policies on illegal intelligence gathering, wherein the organization sanctioned burglary and theft as legitimate methods of attaining information on its enemies. The organization's use of the information, furthermore, indicates that Cooper was

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[1] Robert Dardano, a member of Boston's Information Bureau of the Guardian's Office in 1974 and 1975, disclosed to the *Boston Globe* that he participated in the break-ins at Dr. Cath's office (Bradlee Jr., 1983: 4).

[2] Scientology, seeking further information to use against Cooper, planned another burglary of Dr. Cath's office which was outlined in an internal document entitled 'Project Owl' in 1976, but was not undertaken (see United States District Court for the District of Massachusetts, 1981: 5 and Bradlee Jr., 1983: 4).

the target of the 'Fair Game' policy. By distributing Cooper's personal information, Scientology undoubtedly sought to emotionally 'destroy' her.

4.4 Operation 'PC [Paulette Cooper] Freakout'

Once Scientology realized its plot to harass Cooper on an emotional level with the distribution of her psychiatric file, the organization formulated a new scheme to further traumatize her. The proposal, entitled 'Operation Freakout,' stated that the organization's goal was to "get [Paulette Cooper] incarcerated in a mental institution or jail, or at least to hit her so hard that she drops her attacks" ([Guardian's Office], 1976: 1).

After the circulation of the original memorandum, Randy, who was a member of the Guardian's Office, suggested a plan of action to fulfill the goals of the decree. He suggested that a Scientology operative telephone two Arab Consulates in New York and utter bomb threats, and also recommended that another bomb threat be mailed to an unspecified anti-Israeli consulate in New York. He, furthermore, advocated that a Scientology member impersonate Paulette Cooper and utter threats against Henry Kissinger and Arabs at a local laundry near Cooper's residence and later anonymously report the utterances to the FB I (Randy, 1976a: 1-4).

In addition to his prior proposals, Randy suggested that Scientology obtain Cooper's fingerprints on a blank piece of paper, write a threatening letter to Henry Kissinger on the paper and send it from a mailbox near

Cooper's residence. Another tactic he presented was to telephone an Arab consulate in New York and anonymously report that Cooper was an Israeli Intelligence Officer and that the caller heard her discussing bombing the [consulate] (Randy, 1976a: 6-7). Eight days after his initial suggestions, Randy formally approved the tactics to assail her (Randy, 1976b: 1).

Although the Guardian's Office finalized the operation against Cooper, the organization failed to undertake any of the proposed actions. When the FBI raided the Washington and Los Angeles Scientology offices in 1977, law enforcement officers uncovered the documents outlining the plot against Cooper in a folder marked 'P.C. FREAKOUT' (*New York Times*, 1979: A14). The FBI also uncovered materials related to earlier operations against Cooper and portions of her personal diary (Rawitch and Gillette, 1978: 9).

While Scientology did not execute the tactics described in the 'Operation Freakout' documents, the operation indicated the application of the 'Fair Game' policy against Cooper. After failing to silence Cooper through its prior operations, the organization sought to ultimately 'destroy' her by ruining her credibility and having her criminally or mentally imprisoned and, therefore, unable to continue to speak out against Scientology.

4.5 The Mclean Family Renounces Scientology

The Mclean family of Sutton, Ontario, Canada joined Scientology in 1979 and quickly became prominent members of the corporation. By

February of 1970, Nan Mclean, the family matriarch, was a staff member of the Toronto organization (Mclean, 1978: 1), as were her son, Bruce, and his wife, Dawn. Nan's husband, Eric, was also a practicing Scientologist, although he was not on the staff of the organization. Nan's son John enlisted in the Sea Organization and was stationed on the *Apollo*, which served as Hubbard's headquarters (Saunders, 1974: 27).

By the fall of 1972, the Mcleans were disenchanted with Scientology. Nan discovered that the Toronto organization, where she was on staff, was falsifying the weekly reports it sent to Hubbard and abusing the counseling process (*Ottawa Citizen*, 1974: 2). She wrote letters to Hubbard about the situation, giving them to John to pass along to Hubbard aboard the *Apollo*, to no avail. Enraged by Nan Mclean's actions, the Toronto organization leadership subjected members of the family to 'security checks' "on the e-meter to determine whether she was a traitor"[1] (Advokat and Sableman, 1976: A12). As the conflict with the Toronto organization escalated, the Mclean family left the group and began publicly criticizing Scientology (Rawitch and Gillette, 1978: 11).

While his family battled Scientology in Toronto, John's dissatisfaction aboard the *Apollo* was growing. "[T]he harsh treatment [of the *Apollo* crew] and growing doubts about some of Scientology's more unusual beliefs led

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[1] Scientology officials disputed the claim that the Mcleans underwent security checks (Wright and Cooper, 1974: 5).

[John] Mclean to part with the organization" (Advokat and Sableman, 1976: A12). At the time of his departure, he avoided signing a non-disclosure contract by claiming that he was going temporarily to Toronto to convince his family to return to Scientology (Advokat and Sableman, 1976: A12). After leaving the *Apollo*, John never returned.

Although Scientology policy, in principal, supported Nan Mclean's reporting of the ethical violations of the Toronto organization staff, she failed to attain any resolution to the problems. The Toronto staff was enraged by her actions and began treating her as a 'Potential Trouble Source.' To determine other family members' loyalty to the organization and further obtain information from them, the Scientology staff initiated 'security checks.' The family left before Scientology applied its Ethics code and subjected them to punishment or excommunication.

4.6 Scientology Applies 'Fair Game' Policy to the Mcleans

Once the entire family left Scientology and spoke out about its practices, its relationship with the organization changed abruptly. The Mcleans suspected that Scientology declared them 'fair game' (Marshall, 1974: 1), as a campaign of harassment against them escalated. For years after the family left Scientology, they experienced the malicious tactics of the Guardian's Office.

Immediately after leaving Scientology, the Mcleans's neighbors

received telephone calls from strangers inquiring about the family. In addition to asking about the family's finances, the callers also insinuated that the Mcleans were guilty of drug abuse (Supreme Court of Ontario, 1974: 3), financial and sexual improprieties (Advokat and Sableman, 1976: A12) and were being investigated for criminal activities (*Ottawa Citizen*, 1974: 2). The Mcleans realized quickly that Scientology was trying to damage their reputation.

In addition to the telephone calls directed to the Mcleans's neighbours, Eric Mclean's employer, the Associate Director of Education of York County, received strange calls. In one call, a man identifying himself as being from 'the Credit Bureau' stated that Mclean owed back taxes and was "stealing from the school" (Supreme Court of Ontario, 1974: 4). In another call to Mclean's employer, an unidentified man, pretending to be drunk, claimed that Mclean was having an affair with his wife and warned Mclean's employer to watch his own wife when Mclean was around (Supreme Court of Ontario, 1974: 4).

Scientology's queries to the Mcleans's neighbors and Eric Mclean's employer indicated that a 'noisy investigation' of the family was underway. By implying that the family members were being investigated and insinuating disparaging scenarios, Scientology members sought to intimidate and silence the Mcleans. Scientology, furthermore, attempted to jeopardize Eric Mclean's employment by maligning his character and suggesting that he abused his

teaching position by stealing from the school. By discrediting the Mclean family in their community and interfering with Eric Mclean's employment, the organization attempted to interfere with the personal and professional relationships of the family members outside Scientology.

Another attempt to disgrace the Mcleans in their community occurred in February, 1974, when Scientologists held a 'funeral for lost souls' on Sutton's main street. For the ritual, eight people paraded an empty, black coffin through the town and performed a memorial service for the 'lost souls' of the family (*Ottawa Citizen*, 1974: 2). The group then handed out leaflets signed by 'The Church of Scientology of Toronto' that detailed the alleged heresy and immorality of the Mcleans (Saunders, 1974: 27).

In addition to the 'funeral for lost souls,' Scientology used another tactic to discredit the family. The organization initiated the "anonymous circulation of a photostat of what purports to be a document outlining a scheme wherein the Mcleans pretend to defect so they can give false information to publications that could then be sued for libel" (Marshall, 1974: 1). By implying that the Mcleans were covertly working for the organization in order to entrap media outlets that criticized Scientology, the photostat served to besmirch the credibility of the family.

Scientology's attempts to publicly disgrace the Mcleans were consistent with a 'Black PR' campaign. By staging the 'funeral for lost souls' and circulating the photostat alleging that the family was working for the

group, the organization incited public ostracism of the Mcleans. Scientology, furthermore, initiated the 'Black PR' campaign to obstruct the family's attempts to effectively speak out against the group.

The 'funeral for lost souls,' furthermore, symbolized the implementation of Auditing Process R2-45. By staging the mock funeral, the organization reminded Nan, who was well aware of the policy (Mclean, 1978: 1-3), and her family of the potential consequences of their criticisms: death. The 'funeral for lost souls' served also to reiterate to other members and critics the methods of retribution in Scientology's arsenal.

In addition to Scientology's efforts to discredit and frighten the Mcleans, the organization attempted to undermine the family's unity. Eric Mclean received a Christmas card from someone purporting to be a woman who was intimate with him (Advokat and Sableman, 1976: A12) and a woman telephoned John Mclean's wife and claimed that she was having an affair with him (Marshall, 1974: 1). These tactics were consistent with 'fair game' policy, wherein Scientology advises that any actions must be taken to 'destroy' enemies of Scientology, which, in this case, meant destabilizing relationships within the family.

Scientology tried also, on several occasions, to incite the police to bring criminal charges against members of the family. The Mcleans took in a man claiming to be a defector and he lived with them for a month, before

leaving[1] and attempting to have the police bring criminal charges against them[2] (Marshall, 1980: 4). Scientology also accused Eric and John Mclean of making threatening calls to Bryan Levman, who was, at the time, the president of the Church of Scientology of Canada, and the Toronto police laid charges against them (Supreme Court of Ontario, 1974: 4). Later, a judge dismissed the charges after hearing testimony that, in reality, Scientology placed the calls to the Mcleans (Rawitch and Gillette, 1978: 11).

"Another complaint lodged with Toronto police was that John had attacked an 18 year old woman he heard praising Scientology" (*Ottawa Citizen*, 1974: 2). Peggy Goodman, who was a member of the Church of Scientology of Ottawa, charged that a man named Mclean physically assaulted her and, with Toronto Scientologist Joanne Lye, identified John Mclean as the assailant (Supreme Court of Ontario, 1974: 4). The police later dropped the charge after the woman changed her story (*Ottawa Citizen*, 1974: 2).

The organization's attempts at framing the Mcleans were consistent with the methods of a 'Black PR' campaign. Scientology tried to ruin the family's credibility when speaking out against the organization by

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[1] Upon leaving, the man returned to Scientology and trained to become a minister (Saunders, 1974: 27).

[2] The FBI confiscated records documenting the plot in its raids of Scientology in 1977 (Marshall, 1980: 4).

orchestrating the situation so that it appeared that the Mcleans's complaints were a product of their personal vendetta. The criminal charges also served to ostracize the family in their community.

Scientology's attempts to silence the Mclean family also included threatening their physical well-being. In an interview of Nan and John Mclean and Robert Dobson-Smith, Scientology's Public Relations Director for Canada on radio station CKNW in Vancouver, British Columbia on March 4, 1974, Dobson-Smith admitted that [Auditing Process] "R2-45 is someone being shot, all right, and then leaving the body" (Supreme Court of Ontario, 1974: 5). Dobson-Smith further threatened that if John Mclean continued to speak out against Scientology, "he is going to be bothered by things that go bump in the night and harassment that he claims exists, which is totally ridiculous" (Supreme Court of Ontario, 1974: 5).

The threats of physical harm against the Mcleans were realized when John Mclean's vehicle malfunctioned. According to Mclean, "somebody loosened 5 wheel nuts on my half-ton truck and while I was driving down the road, I just about lost the wheel" (Supreme Court of Ontario, 1974: 3). The plot to sabotage Mclean's vehicle and, therefore, endanger his life suggested the attempted implementation of Auditing Process R2-45, wherein Scientology sanctioned the murders of critics.

4.7 The Mcleans's Legal Battles with Scientology

When the Mcleans continued to speak out against Scientology, the organization instigated lawsuits against the family members in an attempt to silence them (*Ottawa Citizen*, 1974: 2). By filing nearly a dozen lawsuits, mostly for libel, in the United States and Canada within five years of the Mcleans's exit from the corporation (Rawitch and Gillette, 1978: 11), Scientology utilized the legal system in a manner consistent with its 'Fair Game Policy.'

After ensuring that the Mcleans retained legal representation by filing several lawsuits against the family, Scientology ventured to illegally interfere with the litigation process. In April 1975, two members of the Toronto Guardian's Office were discovered with burglary tools in a downtown Toronto office building. They later admitted that they were attempting to break into the office of Nan Mclean's attorney, which "contained files to be used the next day in [Nan] Mclean's defense against a Scientology lawsuit" (Marshall, 1980: 4).

Scientology's attempts to steal Nan Mclean's legal files were consistent with its policies on illegal intelligence gathering. The organization sanctioned breaking, entering, and theft as methods of attaining information and employed these practices, albeit unsuccessfully, to gain insight into Mclean's legal strategies.

4.8 Coleman's Theory of Elite Deviance and Organized Campaigns Against Enemies

The campaigns against Paulette Cooper and the Mclean family demonstrated Scientology's policies and tactics used against critics. Every action against Cooper and the Mcleans originated from Hubbard's policies and the directives of high-level Guardian Office members. The methods used represented Scientology's customary approach to handling critical formal members and outsiders.

Coleman's theory of elite deviance does not sufficiently illustrate Scientology's campaigns against its enemies. Although he acknowledges that corporations must socialize their employees to rationalize deviant behavior in order to limit the influence of the moral implications of criminal acts (1998: 197), he fails to address the ability of ideological organizations to redefine the moral code of its members. Because Scientology's policies asserted that the organization's goals superceded societal norms, the implications of subverting social customs and criminal laws were irrelevant.

Another area that Coleman fails to address is the possibility that organizations may have formalized policy that corporate leaders dictate directly and that endorse criminal and unethical behavior. In his theory of elite deviance, Coleman states that when employees partake in deviant behavior, the organization informally endorses their actions. Furthermore, he maintains that corporate leadership is careful "to avoid any direct knowledge

of their subordinates' criminal activities, even while indirectly encouraging them" (1998: 166). Although his theory may apply to most organizations, it neglects to address cases where corporate leadership overtly directs the deviant actions of its members.

Scientology's campaigns against Paulette Cooper and the Mclean family accurately and thoroughly exemplified the organization's policies against enemies. The undertakings of individual Scientologists acting on behalf of the corporation directly reflected the policies of L. Ron Hubbard and senior Guardian's Office members. Scientology's tactics against critics, furthermore, showed a formalized pattern of harassment and intimidation that Scientology leadership sanctioned demonstrably.

Chapter 5

5.1 Coleman's Theory of Elite Deviance and Scientology

While Coleman's theory of elite deviance explains many of the illegal or immoral phenomena that occur in corporations, he does not discuss internal corporate intelligence systems in a comprehensive manner. Furthermore, he does not address the deviance that occurs in ideological organizations, which, in many ways, differ from traditional corporations. By failing to acknowledge the differential motivations and ethical systems in ideological organizations, he does not sufficiently explain the circumstances surrounding the founding, policies, and operation of Scientology's Guardian's Office.

In order to expand Coleman's theory to illuminate the deviant activities that occur within ideological organizations, one must supplement aspects of it with schematics developed in other areas of academic scholarship. Psychoanalytical, psychobiographical, and legal theories provide appropriate supplementation to remedy the theory's shortcomings. Moreover, areas of his 'elite deviance' theory that he applies only to governmental organizations, may also prove effective when investigating an ideological corporation such as Scientology.

5.2 Corporate Leadership

An important aspect of corporate deviance that Coleman fails to

address is the influence of leadership on the formal and informal culture of the organization. In his theory, he states that "white-collar offenders are psychologically 'normal'" and that "it is generally agreed that personal pathology plays no significant role in the genesis of white collar crime" (1998: 178). By failing to acknowledge, however, the potential for leaders' personalities to shape corporate policy, Coleman neglects to explore a significant phenomenon that occurs in organizations.

Despite Coleman's disregard for personal pathology generating corporate deviance and crime in Scientology, L. Ron Hubbard's personality absolutely determined the guiding principals and actions of the organization. Because Hubbard controlled Scientology completely, his paranoia surrounding an alleged worldwide conspiracy against his corporation inevitably influenced Scientology's approach to dealing with potential and confirmed critics. His paranoia, furthermore, resulted in the formation of the Guardian's Office and the subsequent deviant activities performed by its members.

Where Coleman's theory fails to explain the influence of leadership on organizational deviance, biographical research methods can supplement it. In the study of corporate deviance, most researchers fail to examine how personal biographies influence corporate policy. There is, however, an extensive body of literature exploring how the psyches of political leaders shape governmental actions.

Like Hubbard, Richard Nixon's paranoia greatly affected how he detected and managed critics during his administration. According to Summers and Swan, "for Richard Nixon, enemies were everywhere" (2000: 374) and, therefore, he created an 'enemies list' to manage real and perceived threats within and outside of his government.[1] Although Nixon did not document the 'enemies list' or the actions taken against his foes, others involved acknowledged the unwritten policy of how the administration identified and managed critics (Summers and Swan, 2000: 374). Nixon was careful to ensure that "the covert activities should go forward, but they must not be traceable to him" (Summers and Swan, 2000: 377).

In order to investigate enemies, the Nixon administration improperly obtained personal and organizational files from various governmental agencies and accessed information for its own purposes. Nixon also employed private investigators to surveil his critics and compile personal information that was not available to him through the governmental databases (Summers and Swan, 2000: 377). When he was not able to obtain information through legal, yet unethical channels, Nixon endorsed burglary as an effective way of obtaining information (Summers and Swan, 2000: 393).

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[1] According to Summers and Swan, "The Senate Watergate hearings would ultimately identify more than two hundred citizens who had been on the Nixon enemy lists, including thirty-one politicians, fifty-six people from the media, fifty-three from the world of business, fourteen labor leaders, twenty-two academics, and eleven celebrities, along with newspapers and organizations" (2000: 376).

Once Nixon identified and investigated his enemies, he utilized a variety of methods to intimidate and silence them. His customary tactics included subjecting his critics to unwarranted IRS investigations (Summers and Swan, 2000: 376). When dealing with his political foes, Nixon's staff, at his behest, fabricated rumors, infiltrated and disrupted their campaigns, and used counterfeit stationary to spread misinformation about them (Summers and Swan, 2000: 380-381). Because of his paranoia, Nixon's administration performed illegal and unethical activities to surveil and harass his enemies throughout the tenure of his presidency.

While biographical accounts are effective at revealing the personalities of elite leaders, psychoanalytical studies provide a more complete basis for illuminating the impact of the psyche on the direction of organizational policies. In "Narcissistic Leaders: The Incredible Pros, the Inevitable Cons," Michael Maccoby (2000) explores the impact of corporate leaders' personalities on their organizations and includes an examination of the psychological causes of their deviant behavior. He notes that narcissism may be a beneficial attribute when leading a corporation, but the personality characteristic, when unrestricted, may lead to personal and professional catastrophe.

Throughout his adult life, Hubbard displayed, in his personal and professional lives, the symptoms of narcissistic personality disorder. The American Psychiatric Association describes the disorder as "a pervasive

pattern of grandiosity (in fantasy or behavior), need for admiration, and lack of empathy, beginning by early adulthood and present in a variety of contexts"[1] (2000: 294). In his examination of Hubbard and Scientology, Atack explores the speculative diagnoses of Hubbard's personality by people who knew him throughout his adult life and reiterates that they consistently noted the dominance of his narcissistic characteristics. Atack, furthermore, provides examples of Hubbard's narcissistic beliefs as they are reflected in Scientology policy (1990: 367-377).

Atack's exploration of Hubbard's narcissism affords valuable insight when studying his actions as the founder of Scientology within a psychoanalytical framework. Maccoby claims that "narcissism can turn unproductive when, lacking self-knowledge and restraining anchors, narcissists become unrealistic dreamers. They nurture grand schemes and harbor the illusion that only circumstances or enemies block their success" (2000: 2). As the founder and leader of Scientology, organization members deified Hubbard and he, therefore, lacked the 'restraining anchors' that may have restrained his narcissistic characteristics.

Maccoby, furthermore, states that unrestricted narcissism, coupled with extreme stress, often causes degeneration into paranoia (2000: 2-3). Because narcissists are "extremely sensitive to criticism or slights" (Maccoby,

[1] For a more specific listing of the diagnostic criteria for Narcissistic Personality Disorder, see American Psychiatric Association, 2000: 294.

2000: 5), they do not permit opposing opinions or dissent within their organizations and have severe reactions when threatened by the outside world. Hubbard, due to his paranoia and inability to handle criticism, was constantly monitoring the world both within and outside of Scientology and reacting ruthlessly to anyone who opposed him.

When leading corporations, "[n]arcissists are relentless and ruthless in their pursuit of victory" (Maccoby, 2000: 7). Because they disallow dissention and suppress criticism, their sense of grandiosity and invincibility increases, which may lead to excessive risk-taking (Maccoby, 2000: 5), self-destruction, and organizational disaster (Maccoby, 2000: 9). Because of his flagrant disregard for laws that restricted his ideological philosophies and practices, Hubbard, and, consequently, Scientology, faced legal censure in many nations. Hubbard, therefore, spent the last decades of his life personally evading law enforcement on a worldwide scale while his organization was embroiled in countless legal battles.

In addition to psychoanalytical analysis, another beneficial supplemental schematic to Coleman's theory is the psychobiographical research method. By carefully examining the psyches of elite leaders and the expression of their psychological characteristics in their work, psychobiographical research provides a significant contribution when studying corporate leaders. While psychobiographical research often is limited to the study of religious and governmental leaders (due to the availability of

ideological documents reflecting their psyches), corporate records also provide insights into the personalities of their leadership.

In *Inside the Mind of Joseph Smith* (1999), Robert D. Anderson provides a comprehensive examination of Joseph Smith's life and ideological philosophies. Working under the assumption that Smith's narcissistic personality instructed the ideas he professed in the *Book of Mormon*, Anderson illuminated themes that expressed the various indicators of the disorder (1999: xxxviii). Smith's narcissism, as expressed in parts of the *Book of Mormon*, parallels the themes present in Hubbard's corporate policy.

Smith's narcissistic rage is a predominant theme in the *Book of Mormon*. Throughout the narratives in the book, his fury and desire for retribution are reflected in his characters and the situations they face (Anderson, 1999: 140-145). Like Smith, Hubbard expressed his narcissistic rage in his work, although in his case, it is evident in his corporate policies pertaining to the management of critics. Throughout his policies, Hubbard consistently recommended that Scientology ruthlessly neutralize its enemies, using any means, regardless of the moral or legal implications.

Although psychological factors may be the motivation behind elite leaders' beliefs and actions, another phenomenon occurs in ideological and religious organizations that obscures the relationship between personality and policy. According to Kent, "[g]urus, reputedly enlightened masters, and religious virtuosi of all types claim special spiritual gifts that set them apart

from others (at least when others accept their claims). Removed from the flock, these charismatic leaders can direct, facilitate, or justify violence, making divine or transcendent assertions that few can challenge but all must accept" (2004: 12). While corporate leaders must obfuscate or rationalize the impact of their personalities on deviant or criminal organizational policy, ideological leaders may deny responsibility for immoral ideology by asserting the divine foundation behind their ideas.

Since the leaders of ideological organizations are more capable of justifying illegal and unethical policies than their corporate counterparts, their motivations are less likely to be scrutinized and they have greater latitude when formulating policies for managing critics. While Coleman's explanation of the impact of organizational leadership is best supplemented with psychological theories, it is important to include the caveat that the supernatural claims present in ideological corporations, such as Scientology, obscure and complicate the relationship between leaders' personalities and policy.

5.3 Corporate Intelligence Systems

Like his theory on organizational leadership, Coleman's concept of corporate intelligence systems is lacking in several important areas. Since Coleman does not acknowledge the presence of full-time information-gathering networks in corporations that serve also to manage critics (1998:

58-59), he fails to explore many of the phenomena that occurred in Scientology's Guardian's Office. His theory on governmental intelligence agencies, however, provides insight, albeit incomplete, when applied to corporate systems.

In his theory on governmental intelligence agencies, Coleman discusses the advent of permanent information-gathering departments. He states that prior to World War II, governments executed intelligence operations on a case-by-case basis, and disbanded the operations upon completion of the projects[1] (1998: 59). Furthermore, Coleman asserts that after the war, intelligence agencies were maintained on an ongoing basis, rather than being dispersed (1998: 59).

As governments established permanent intelligence agencies, they developed formalized methods of identifying and managing enemies. Coleman states that, in addition to continuing to monitor outsiders, the agencies focused also on domestic opponents (1998: 59). When discussing intelligence operations within the United States, he asserts that "[t]he American government's campaign against political dissidents went far beyond mere surveillance to encompass a program of direct political harassment and intimidation" (1998: 61).

To support his claims, Coleman discusses the FBI's surveillance and

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[1] Coleman's model for pre-World War II governmental intelligence operations reflects his current depiction of corporate intelligence actions.

harassment of Dr. Martin Luther King Jr. As King became prominent in the civil right movement, the FBI subjected him to constant surveillance, the illegal wiretapping of his phone (with Attorney General Robert Kennedy's approval), attempts to damage his political reputation, and interference with his personal life (Coleman, 1998: 62). Through the example of King, Coleman demonstrates the scope of the FBI's techniques of surveillance and intimidation used against domestic enemies.

In addition to the harassment of domestic political dissidents, Coleman addresses the CIA's activities against enemies in other nations. He states that the CIA regularly carried out missions, often involving criminal activities, against foreign governments with the purpose of advancing the United States's interests abroad (1998: 63-65). He further maintains that the agency repeatedly violated American and international laws by waging secret wars[1] without congressional authorization (1998: 63-65). Coleman, furthermore, mentions also the CIA's involvement in the assassinations of foreign politicians[2] (1998: 64).

Coleman's exposition of the American domestic and foreign

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[1] Coleman mentions CIA-sponsored invasions in China, Guatemala, Indonesia, Cuba, Laos, Chile, and Nicaragua (1998: 63-65).

[2] According to Coleman, "[d]irect assassination attempts were launched by the [CIA] against Patrice Lumumba, the leftist leader of the Congo, and against Washington's perennial Cuban antagonist, Fidel Castro. The CIA also encouraged plots that resulted in the deaths of Rafael Trujillo in the

intelligence agencies effectively explains many of the phenomena that occurred in Scientology's Guardian's Office. Unlike the corporate area of his theory of elite deviance, which fails to include the possibility of permanent intelligence agencies, his theory on governmental agencies provides a framework that describes the formation and operation of the Guardian's Office. By addressing the illegal actions that occur in these agencies, Coleman emphasizes the deviant and criminal actions that predictably occur during covert operations.

Coleman's examples of FBI and CIA operations, furthermore, demonstrate the techniques that the Guardian's Office used against its critics, both within and outside of Scientology. Since Coleman includes in his analysis a range of actions, from relatively minor deviant acts (such as surveillance), to severe criminal undertakings (such as murder), his theory can sufficiently explain the extent of Guardian's Office operations against enemies. He mentions also that in governmental intelligence agencies, members often disregard the legality of their actions, a phenomenon that also occurred in the Guardian's Office.

While some aspects Coleman's theory of governmental intelligence agencies illuminate the activities that occurred in the Guardian's Office, his explanations are not complete. Although illegal actions are commonplace in

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Dominican Republic, Ngo Dinh Diem and his brother Nhu, in South Vietnam, and General Rene Schneider of Chile" (1998: 64).

governmental agencies, they are not formalized and, therefore, leadership can deny knowledge of and responsibility for criminal acts (Coleman, 1998: 198). In the Guardian's Office, however, Hubbard overtly sanctioned illegal activities by including them in his policies.

Since Coleman asserts that the sanction and methods of performing criminal actions in organizations are not formalized, he provides another explanation for how deviant behavior occurs. He claims that, through the informal ethics system, members learn the illegal and unethical techniques that they may use in intelligence operations and that management endorses. He further posits that, through unofficial avenues, an organizational subculture of illicit behavior is established, oftentimes "without conscious awareness on the part of the employees" (Coleman, 1998: 195).

While his theory may apply to organizations wherein criminal behavior is not overtly accepted, it fails to address the corporate ethos present in Scientology's Guardian's Office. In Scientology, Hubbard provided members with a detailed code of ethics, which included comprehensive guidelines that governed all individual behavior. In addition to Hubbard's voluminous collection of policy letters, Scientology's code of ethics delineated criminal actions that the organization sanctioned, and it incorporated explanations of both illegal and unethical intelligence and harassment techniques. By formalizing the Scientology ethical code, Hubbard directly implicated himself in and unequivocally sanctioned the criminal activities of the Guardian's

Office.

Another area where Coleman's governmental theory fails to describe the phenomena occurring in Scientology is the use of truth verification instruments. Coleman does not mention that the polygraph is a technique that governmental intelligence agencies often use, both as a pre-employment screening device and a tool to confirm the assertions of current employees. In Scientology, the e-meter, while less technologically sophisticated, served the same function by similarly measuring physiological responses to questions.

Although Scientology used truth detecting devices to monitor its members, its implementation of the technology greatly differed from the standards used by law enforcement agencies. While public and private agencies are governed by laws outlining which employees may be subject to polygraph exams,[1] Scientology required every member to undergo counseling that included having responses measured by an e-meter. As an ideological corporation, Scientology's practices with truth verification instruments greatly differed from those in other organizations.

Another difference in Scientology's utilization of truth verification

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[1] For example, in the United States, employers are governed by the Employee Polygraph Protection Act of 1988 (EPPA), which states that the only employees subject to polygraph examinations as a condition of employment are those who work for "law enforcement agencies and companies that manufacture, distribute or dispense drugs and controlled substances" (American Polygraph Association, 2004: 7).

instruments is the scope of the questions asked during examinations. In industries that allow polygraph exams of employees, examiners are limited in the range of questions that the law allows them to ask.[1] In Scientology, however, there are no limits regarding appropriate lines of questioning, and counselors often explore the areas prohibited by law in polygraph usage.

Although Coleman's theory of elite deviance pertaining to government intelligence agencies fails to address some of the phenomena occurring in Scientology (such as the use of the e-meter), it provides insight into the operation of the Guardian's Office. By focusing on the illegal acts that occur during campaigns against domestic and foreign enemies, Coleman demonstrates the range of deviant actions undertaken by Guardian's Office members. He, however, fails to discuss the formalization of criminal behavior, which occurred in Scientology.

5.4 Corporate Abuse of the Legal System

In his theory of elite deviance, Coleman addresses the circumstances that often occur when corporations are involved in litigation. He acknowledges some of the systemic advantages for organizations using the legal system and notes that their considerable resources often enable them to

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[1] In the United States, the EPPA prohibits questions pertaining to the following areas: "religious beliefs or affiliations, beliefs or opinions regarding racial matters, political beliefs or affiliations, beliefs, affiliations or lawful activities regarding unions or labor organizations, and sexual preferences or activities" (American Polygraph Association, 2004: 3-4).

scrupulously advance their causes. Coleman, however, fails to illustrate how corporations, such as Scientology, may use the legal system in order to oppress their enemies.

Coleman denotes that, when organizations engage in legal action, they have many advantages that individual litigants do not share. Because of their resources, corporations are able to "prepare their cases with painstaking attention to detail, often employing the services of private investigators and other professionals" (Coleman, 1998: 141). Coleman, furthermore, mentions that because they are able to afford "highly paid corporate lawyers whose legal maneuvers often succeed in obstructing entire groups of suite" (1998: 147), organizations easily overwhelm individual plaintiffs.

In addition to their comparative wealth, organizations also benefit from the merits of being large and complex. Coleman claims that corporations, due to their size, are more easily capable of concealing their crimes (1998: 133) and when detected, of delaying the justice process (1998: 168). He states that once organizations exhaust every opportunity to avoid providing information, they often participate in 'overcompliance,' wherein they overwhelm their adversary with excess information (1998: 168).

Coleman posits also that the very nature of the legal system provides corporations with other advantages. He suggests that "[t]he law is written with a strong individualistic bias" (1998: 165) that makes proving intent to commit a crime, within the corporate setting, extremely difficult. Because

individuals who commit crimes as part of their employment are more easily able to place blame on the corporation, the process of assigning guilt is a difficult undertaking.

Like any other large, wealthy corporation, Scientology benefited from the advantages of operating in a litigation system that is individualistically biased. By investing considerable resources into its disputes, Scientology overwhelmed and outmatched its opponents in the legal arena. The organization, furthermore, confused the legal process through numerous delays, overcompliance, and obfuscation of individual responsibility.

While Coleman's theory addresses many of the systemic advantages available to corporations in the justice system that Scientology benefited from, he fails to acknowledge other phenomena which may occur when organizations are involved in litigation. In "'Fair Game': Leveling the Playing Field in Scientology Litigation" (1997), J.P. Kumar analyzes Scientology's litigation behavior and provides insights that compliment and complete Coleman's theory on how corporations function within the legal setting. In his investigation, Kumar affirms Coleman's assertions and includes other suppositions in areas that Coleman neglects.

Kumar posits that because Scientology is an ideological organization that enjoys religious status in many jurisdictions, its focus in the legal forum is inherently different than other corporations. He states that, in the legal arena, Scientology goes to great lengths to ensure that no one discloses its scripture

and internal information (1997: 753). Kumar mentions also that, as part of its protection efforts, Scientology often relies on intellectual properties laws to prevent the circulation of its materials and, therefore, seeks many injunctions to further its goal (1997: 754).

Because Scientology's focus is on protecting its reputation as an ideological organization, it expends vast resources on penalizing and attempting to silence those who speak out against the corporation or reveal insider information about its 'scriptures' or organizational policies. Scientology instigates countless defamation suits against critics (Kumar, 1997: 751-752) in order to punish and silence them. The organization, furthermore, often includes nondisclosure clauses in its settlements, in order to prevent its adversaries from speaking publicly after litigation ends (Kumar, 1997: 754).

While Coleman does not address the manner in which corporations may instigate litigation, Kumar examines Scientology's history of using the legal system as a means to harass and intimidate its enemies. In his analysis, Kumar discusses the 'Fair Game Policy,' wherein Hubbard recommends suing critics in order to silence and punish them (1997: 748-749). Furthermore, he asserts that Scientology "has practiced a confrontational litigation strategy that has frustrated judges as well as opponents" (1997: 749). Kumar notes that, in addition to its combative litigation methods (1997: 750), the "sheer volume" of Scientology's legal

disputes is remarkable (1997: 750).

In his analysis, Kumar discusses also the aggressive, antagonistic pose that Scientology assumes in its legal disputes. According to Kumar "one of the most controversial features of Scientology litigation is the Church's [sic] vehement attacks on the credibility and character of opponents, lawyers, and even judges. According to a number of Scientology critics, these attacks have run the gamut from legal avenues, such as formal allegations of bias or misconduct or courtroom accusations against parties and witnesses, to extralegal activities, such as picketing, paid advertising, and private investigations of opponents" (1997: 756). By addressing Scientology's litigation exploits, Kumar demonstrates the organization's ruthlessness and compliance to the 'Fair Game Policy.'

While Coleman testifies to the systemic advantages enjoyed by corporations in the justice system, he fails to explain some of the phenomena that occur in Scientology's legal disputes. In addition to supporting Coleman's claims, Kumar provides further insight into the unique circumstances that occur when Scientology engages in litigation. By addressing the legal conflicts unique to ideological organizations and Scientology's combative approach to legal actions, Kumar's impressions provide an effective supplementation to Coleman's theory regarding organizations and the legal system.

5.5 Coleman's Theory of Elite Deviance and Scientology's Guardian's Office

In his theory of elite deviance, Coleman addresses many of the phenomena that occurred in Scientology's Guardian's Office. While not intended to explain circumstances in corporations, his theory on governmental intelligence systems effectively demonstrates the operation of the Guardian's Office. His theory, furthermore, emphasizes the importance of corporate ethics in illegal and unethical actions towards enemies. Coleman also effectively outlines the advantages enjoyed by corporations in the litigation process.

While Coleman's theory often sufficiently explains elements of the operation of the Guardian's Office, it fails to comprehensively describe the structure and operation of corporate intelligence systems. On a related issue, because Coleman fails to address the influence of leadership on organizational policies and actions, his suppositions are best supplemented with psychoanalytical and psychobiographical methodologies. His theory, furthermore, is more effective when expanded to include the formalization of ethics and tactics in the corporate setting. Legal theory, moreover, provides a complementary addition to Coleman's discussion of organizational litigation by providing further analyses of Scientology's manipulation of the legal system.

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